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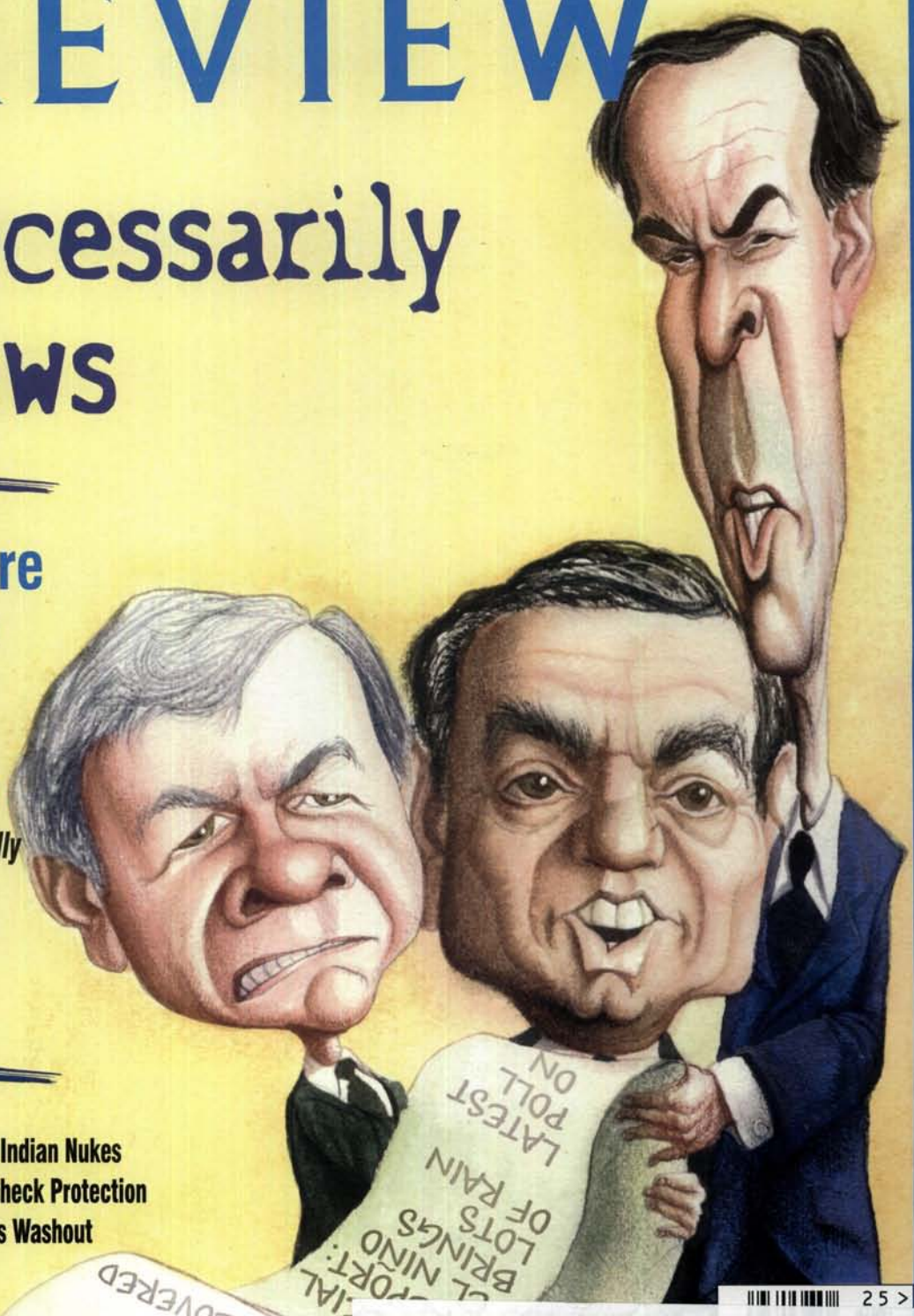
Barry Goldwater, RIP
Wm. F. Buckley Jr.

Sen. Fred Thompson: The China Scandal, Then & Now

NATIONAL REVIEW

Not Necessarily The News



Network Failure
Brent H. Baker & Tim Graham

Hot off the Press Release
John R. Lott Jr., Matthew Scully

Obstruct Art
Thomas Galvin

PLUS: *Martin Sieff*—In Praise of Indian Nukes
Michael W. Lynch—Against Paycheck Protection
Terry Teachout—Norman Mailer's Washout

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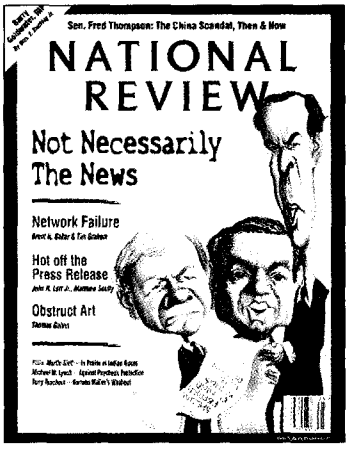
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Cover illustration by Roman Genn

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LETTERS

Choice and Regret

Hurray to Wendy Shalit for an insightful piece on the abortion issue ["Whose Choice?" May 18]. I, too, once had a boyfriend tell me all manner of lies when I found myself pregnant at 18. As I lay on the floor sobbing, he did not comfort me but said icily, "You know what you must do." He said that if I did not have an abortion, he would desert me. Getting married was not in his plan.

Having an abortion broke my heart, contrary to what my boyfriend told me at the time. I believed him. Poor thing, indeed.

Name and address withheld

Holocaust Museum

Contrary to David Neff's assertion ["Faulty Memory," May 4], the United States Holocaust Memorial Museum's "Anti-Semitism" film was not designed to make "any Christian viewer squirm" or to foster "crude stereotypes of Christians." Rather, the film was intended to provide background information on the complex phenomenon of European anti-Semitism, and seeks to explain how centuries of that phenomenon helped lay the foundations which permitted the Holocaust to occur.

The film was reviewed in great detail and approved by the United States Holocaust Memorial Council's Church Relations Subcommittee, which includes prominent Christian theologians and scholars well versed in the history of anti-Semitism. Moreover, the film was not meant to be seen in isolation. It is part of an integrated whole, one of many exhibition components constituting a narrative construction of Holocaust history that occupies three floors and 36,000 square feet of space. To divorce it from its surroundings and then critique it as an entity in and of itself is to misrepresent its purpose and relation to the whole.

Mr. Neff charges that the "Holocaust Museum's film fails to mention those 'righteous Gentiles' who were religiously motivated to save Jews . . ." Although it is true that the film does not discuss these brave individuals, one of the largest segments in the permanent exhibition, called the Rescuers' Wall, is devoted to them, featuring more than ten thousand of their names. This and other segments contain moving stories of these men and women. Had Mr. Neff contacted the Museum directly, this informati
available to him.

We have established
reviewing and updating al
Questions brought to our at
part of those processes. As we ha
made clear to those who have questione
certain aspects of the "Anti-Semitism" film, a review has been under way.

The Museum owes accuracy to those whom we memorialize as well as our visitors. We have every intention to keep that commitment.

Steven Luckert, PhD
Curator, Permanent Exhibition
United States Holocaust
Memorial Museum
Washington, D.C.

I have seen and admired the Rescuers' Wall, and I am grateful for this recognition of those who risked and even gave their lives to save European Jews from the horrors of the Shoah. But I remain convinced that the film's attempt to draw certain questionable and tenuous links between Christian theology and Nazi anti-Semitism while it ignores the well-documented connection between Christian belief and the deeds of many rescuers contributes to historical stereotyping of faithful Christians.

I am glad to read that the film is under review. Earlier statements from the Museum, such as one by Museum chairman Miles Lerman (see the New York Times, *Jan. 20), suggested that the Museum had found the film accurate and not subject to revision. If my article has helped to disturb that earlier complacency, I am pleased.* —DN

NR *Soft on Taxes?*

Ramesh Ponnuru ["Breaking the Code," March 23] criticizes what he calls "the tax reformers' strategy," saying it is destined to fail and "anti-political." In contrast, the liberal magazine *Mother Jones* warns the Left that tax reform may thwart Democratic efforts to regain the majority.

At the center of the controversy over tax-reform strategy is Citizens for a Sound Economy Foundation's "Scrap the Code" tour, a series of debates between flat-tax proponent House Majority Leader Dick Armey and Rep. Billy Tauzin, a supporter of the national retail sales tax.

Since September 1997, the congressmen
unda-
all tax reform-
ld be able to agree on.

Liz Tobias
Director of Tax and Budget Policy
Citizens for a Sound Economy Foundation
Washington, D.C.

Conservative Books

Conservative writers may find the doors of the New York publishing houses slamming in their faces more often these days ["Closed Books," May 18], but the prospects for serious conservative publishing are not as bleak as one might suppose. In the past, independent publishers assured that conservatives were represented in the market, and the same is happening today. My own firm, if I may say so, is an example. Thoughtful readers need to look beyond the endcaps at Borders, and thoughtful journals need to help them.

Thomas Spence
Publisher, Spence Publishing Company
Dallas, Tex.

Don't Look Back, Doc

It is encouraging that James Dobson is threatening to turn away from the GOP ["Fall from Grace," May 18]. History shows that a popular "third party" is an effective way to influence social change. In the 1930s, FDR stole Norman Thomas's Socialist Party platform and his voters, and turned our nation into a welfare state. Perhaps Dr. Dobson and fellow pro-family leaders will profit from the lesson: champion a "movement" with a solid bloc of voters, and let the major parties "steal" the platform. It worked for socialism.

Grant W. Kuhns
Carlsbad, Calif.

Brawn and Brains, Too

For your information ["The Week," May 18], all Notre Dame football players do attend classes, and they live not in separate dorms but rather with their classmates. They have a 90 per cent graduation rate, and are not heavily tutored. Many are premed and engineering students. Apology please.

Gerald F. Saegert, UND Class of '40
Augusta, Ga.

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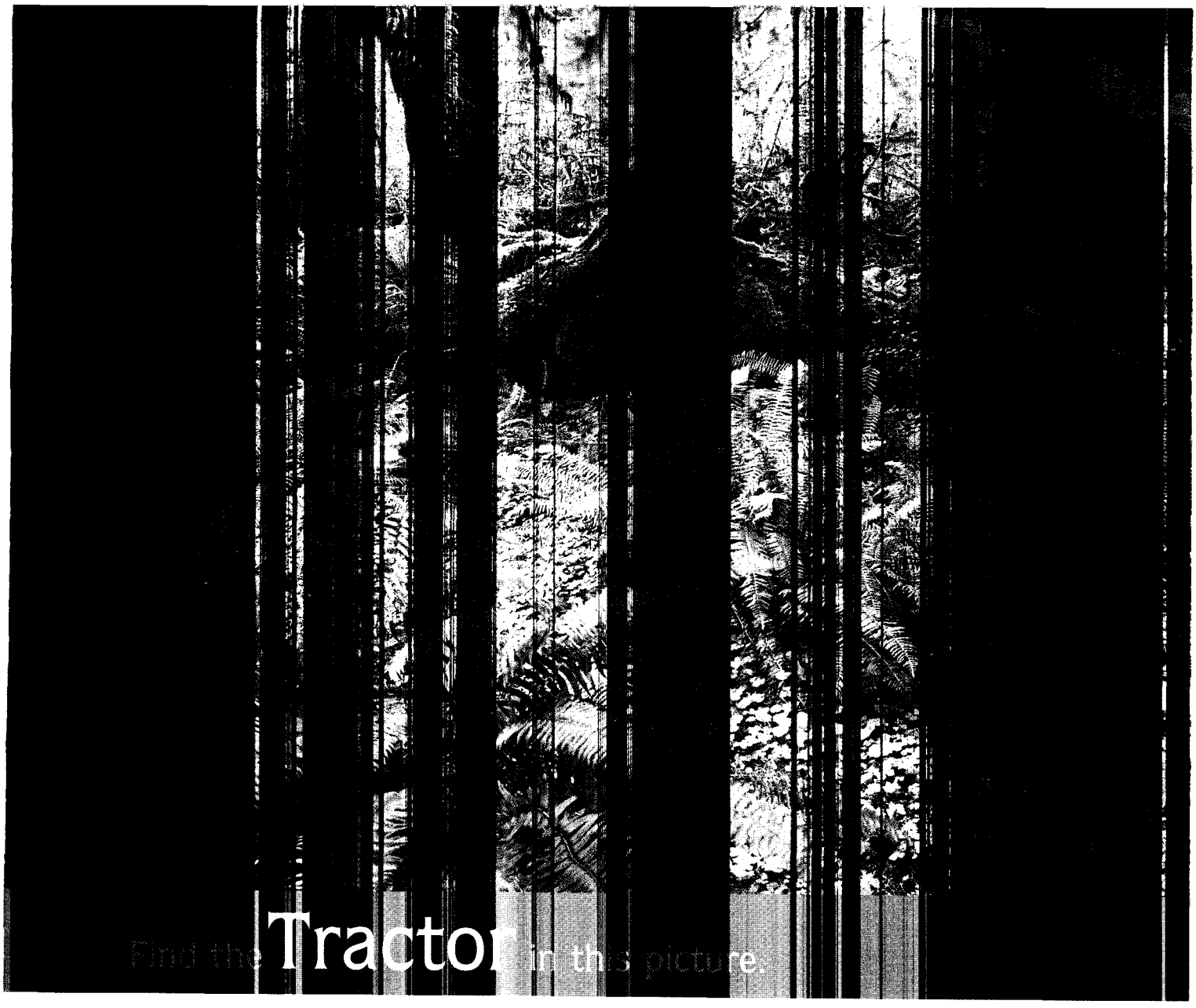

While you're looking, consider this: The rise of high-yield agriculture has made it possible for the American farmer to feed a growing world without using any more land. Thanks to improved hybrids, conservation tillage, and satellite technology, we can feed the world without encroaching on its most precious areas.

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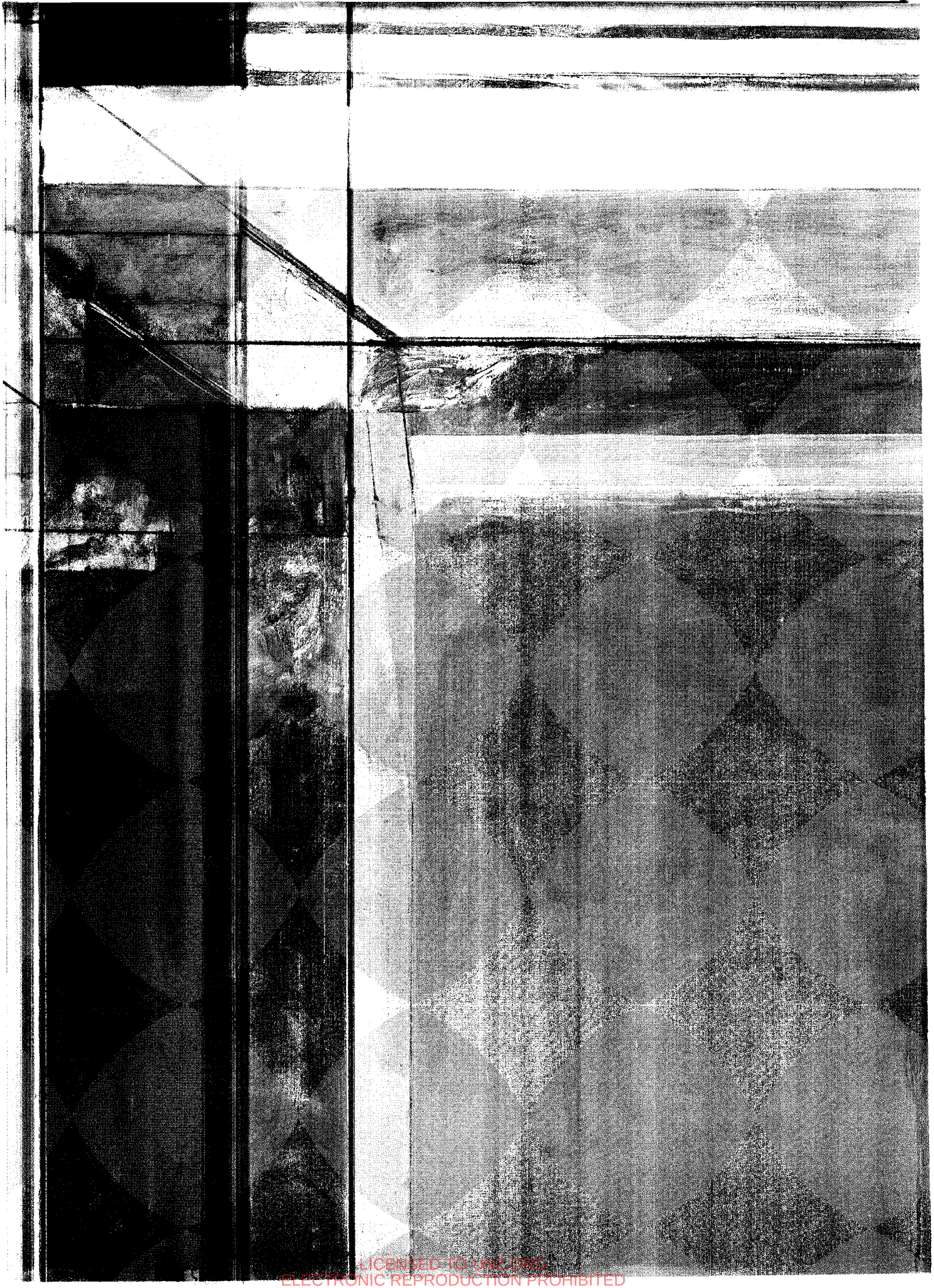

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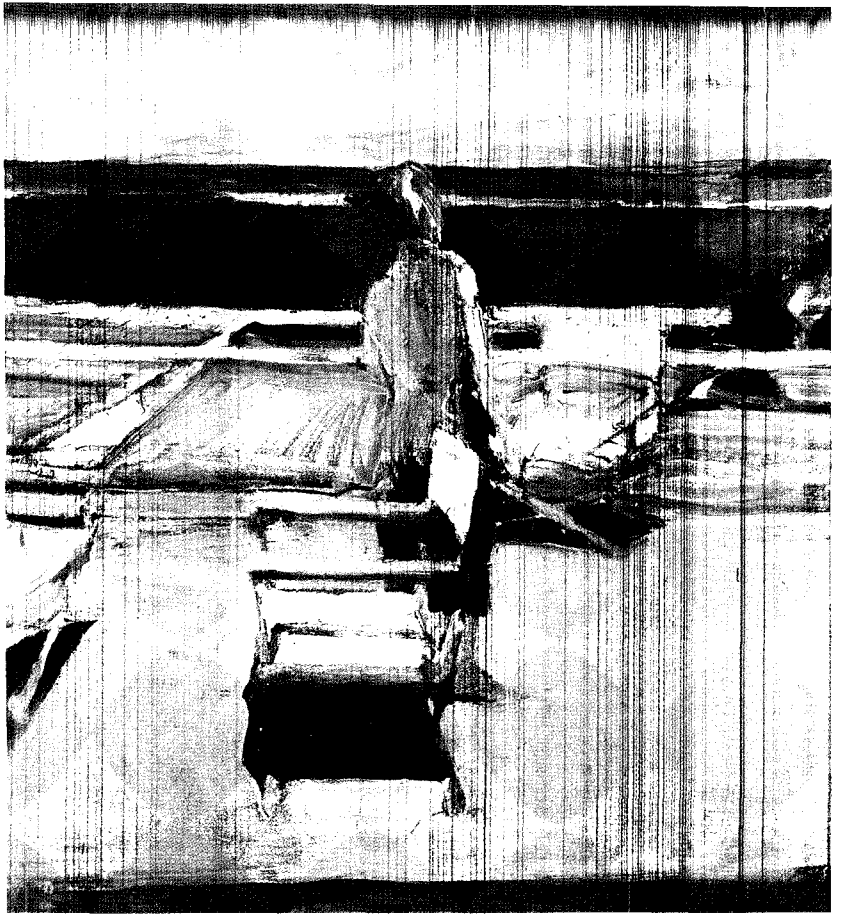

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FROM THE EDITOR

Only Obstruct

FOR the better part of four months last summer and fall, as the Asiagate hearings unfolded, Sen. Fred Thompson (R., Tenn.) sat on a raised dais in a Senate hearing room, glowering.

Thompson had, of course, opened the hearings by revealing a Chinese plan to influence the 1996 U.S. elections. So, former and aspiring astronaut Sen. John Glenn (D., Ohio) would routinely ask witnesses if they had any direct evidence of such Chinese influence. They inevitably said "no"—everyone with direct evidence was on the lam—and Glenn would conclude his questioning with a satisfied "I told you so" air.

White House scandal specialist Lanny Davis would stand in the lobby, meanwhile, rattling the keys in his pocket in a nervous tic of spin, telling every reporter who would listen that Thompson was just recycling old *New York Times* stories. Davis—dancing on and off the record with the fleetness of foot of Muhammad Ali—would gladly provide the copies from Lexis/Nexis to prove it.

As the hearings wore on, the *Wall Street Journal* ran a story reporting that Thompson had abandoned the China angle, and eventually reporters stopped showing up at all, leaving the hearing room a desolate-feeling cavern, a battlefield emptied after the Democratic rout.

In this issue, Sen. Thompson explains what happened during the hearings, and why it is only now—a year after his revelation, widely derided by Democrats—that the China angle is getting the attention it deserves.

Thompson also has a warning for his fellow Republicans: Avoid the trap of attempting to show an impossible-to-prove quid pro quo between Chinese money and U.S. transfers of satellite technology.

Stick to the facts—they should be damning enough.

■ Part of Thompson's trouble, of course, was the media.

Brent H. Baker and Tim Graham, both of the indispensable Media Research Center, document in this issue how, when it comes to the networks, only news about how to stay fit is deemed worthy of air time.

The relentless move toward soft news has squeezed out serious political coverage—a trend that indirectly benefits the White House. It never had to worry, for instance, about the Thompson hearings showing up too prominently on the network news.

Elsewhere in this issue, former New York *Daily News* reporter Thomas Galvin explains why the press reports at face value White House statements it knows can't possibly be true.

It used to be that the cardinal rule for anyone dealing with the press was that you had to tell the truth—or else. The White House has stood the dictum on its head, with happy results.

"Obstruction works," Galvin concludes. He quotes White House aide Doug Sosnik gloating, "If Richard Nixon were President today, he'd never be impeached." Indeed.

■ The NATIONAL REVIEW cruise has just put in to port, back from Bermuda.

In between trips to gorgeous beaches overlooking turquoise waters, *NR* cruisers heard presentations from conservative luminaries on all manner of topics. It's a tribute to the devotion of *NR* subscribers that they preferred the presentations to the beaches.

My one big excursion off the cruise ship took me deep-sea fishing. After hours of intense seasickness, I managed to catch one five-foot-long wahoo—a long, silvery, and not particularly prized fish—which was small consolation.

After being dragged fifty yards by a hook in its mouth, getting speared and thrown on board, and finally being rapped on the head with a mini-baseball bat, the fish was probably still feeling better than its conqueror.

All the more reason not to leave one of the many bars on board the cruise ship. For those who missed the fun, *NR* sails again in November . . .

—RICHARD LOWRY

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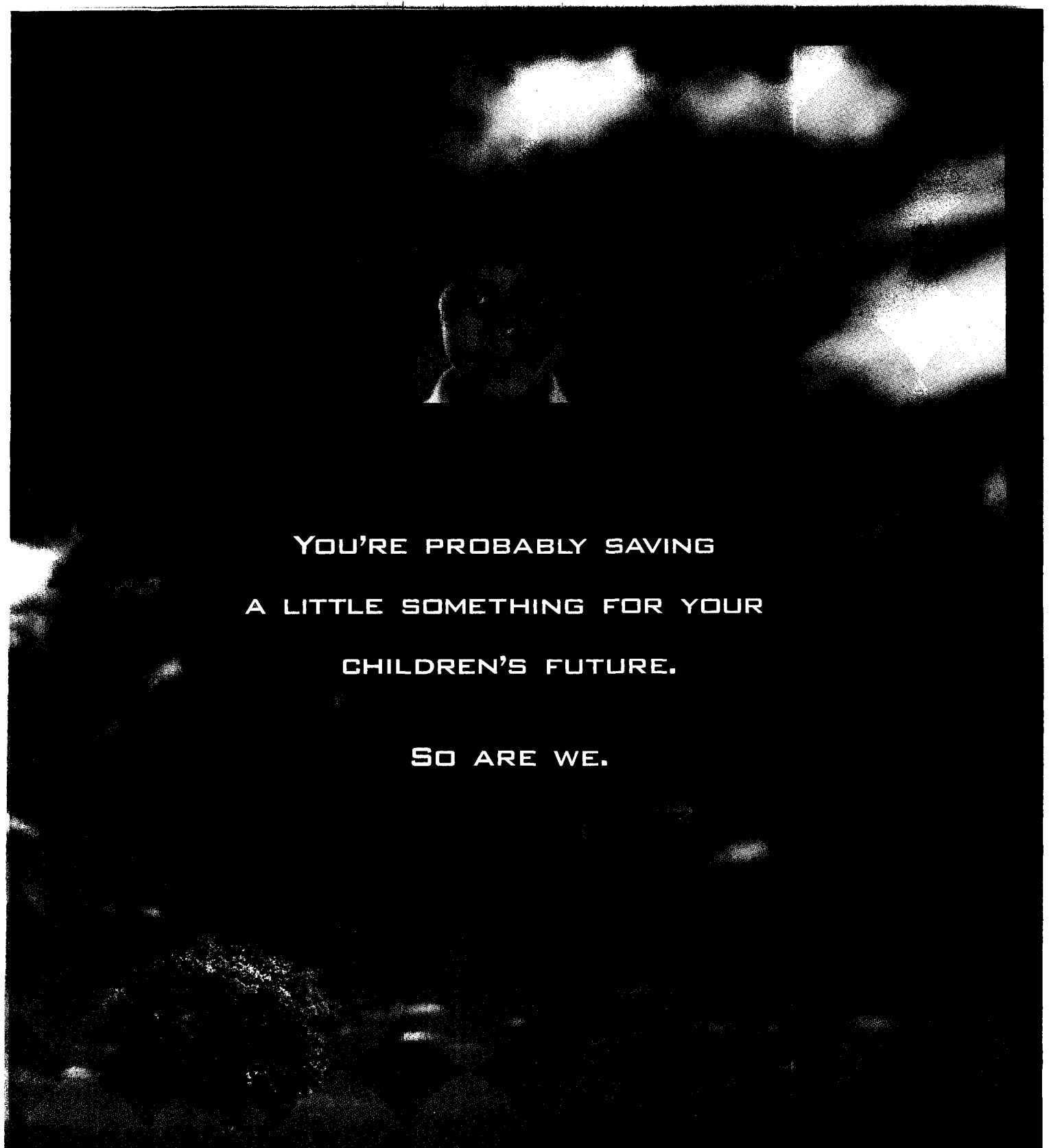

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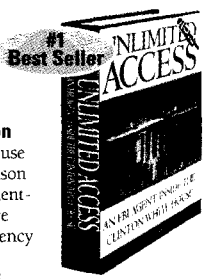

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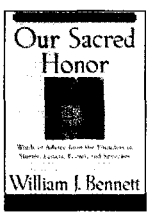

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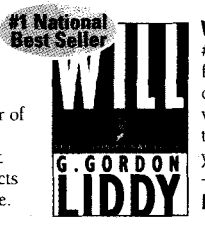

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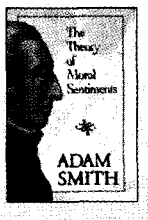

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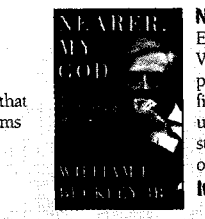

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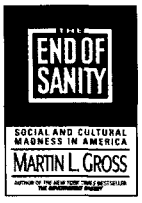

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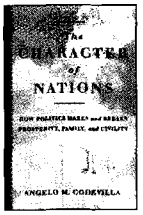

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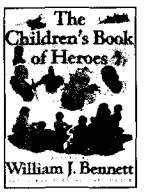

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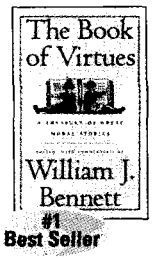

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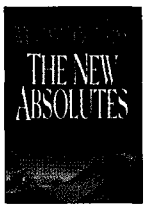

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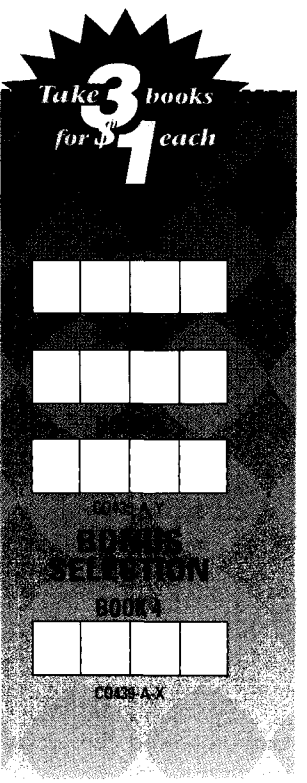

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FOR THE RECORD

■ **Monica Lewinsky** lawyer **William Ginsburg**, in "open letter" to Independent Counsel **Kenneth Starr**: "You *may* have succeeded in unmasking a sexual relationship between two consenting adults." . . . National Security Advisor **Sandy Berger**, urging Pakistanis not to test nukes, uses slang word "Paks" four times on NBC's *Meet the Press*. Pakistani Embassy says term is derogatory. Eleven days later, Pakistan conducts five nuclear tests. . . . On upcoming visit to China, President **Clinton** is scheduled to participate in state ceremony at Tiananmen Square. Responding to uproar, White House spokesman **Mike McCurry** says official function there is no different from official function on South Lawn of White House. ABC News anchor **Peter Jennings**: "Except nobody was killed on the South Lawn of the White House."

■ Sen. **John Ashcroft** (R., Mo.) wins South Carolina GOP straw poll for 2000 presidential nomination, with 32 per cent. Second-place finisher, Gov. **George W. Bush** (R., Tex.), draws 15 per cent. . . . Family Research Council head **Gary Bauer** on chances he'll run for President: "I think it's 50–50." . . . **Steve Forbes** on India's nukes: "The White House's 1930s-style drift-and-dithering diplomacy is already beginning to beget what will become an increasingly bitter harvest." . . . Same night as last *Seinfeld* episode, New York Mayor **Rudolph Giuliani** (R.) hauls in $1 million at fundraiser, at which he proposes to extend benefits to "domestic partners" of city employees. . . . House Speaker **Newt Gingrich** makes guest appearance on Weather Channel. . . . Republicans initiate informal talks to increase congressional pay 3.1 per cent, to $140,254. Plan won't move forward without promise from Minority Leader **Dick Gephardt** not to make it campaign issue.

■ Sen. **Alfonse D'Amato** (R., N.Y.) on why he is running for re-election: "The little people have needs." **Walter Mondale**'s 1984 running-mate, former N.Y. Rep. **Geraldine Ferraro**, holds lead in Democratic primary to challenge D'Amato. . . . In New Jersey, Gov. **Christine Todd Whitman** (R.) proposes raising state gas tax by seven cents per gallon, while in California, lame-duck Gov. **Pete Wilson** (R.) suggests using $4-billion state budget surplus to slash car taxes. . . . In Hawaii, Maui County Mayor **Linda Lingle**, a Whitman-style Republican, leads incumbent Gov. **Ben Cayetano** (D.) in gubernatorial race by wide margin. . . . In speech before South Carolina Policy Council, Justice **Antonin Scalia** says Justice **Clarence Thomas** is his only "true ally" on Supreme Court. . . . Wirthlin poll of Puerto Ricans: 57 per cent would vote for Democrat in 2000 presidential election if Puerto Rico were a state. Pollster **Richard Wirthlin** believes permitting vote on Puerto Rican statehood would improve GOP image among Hispanics. Because they would be helping elect Democrats?

■ In *The Last of the Black Emperors*, journalist **Jonetta Rose Barras** describes D.C. mayor **Marion Barry** trying to buy crack in 1996. Following publication Barry refuses comment, but declines to run for re-election. . . . **Jimmy Carter** tells *Philadelphia Daily News*: "I hope that history will present me with maybe two words. One is peace. The other is human rights." By our count, that's maybe three words. . . . Harris poll: 32 per cent of Americans own guns, down from 48 per cent in 1973. . . . NAACP names 19-year-old Los Angeles Lakers basketball star **Kobe Bryant** as poster child for Back-to-School/Stay-in-School program. Bryant skipped college to go straight to pros. . . . School board in Cambridge, Wis., approves plan to hire minimum-security prisoners to perform $1-per-hour janitorial duties. . . . *New York Times* Metropolitan Editor **Joyce Purnick** sparks controversy by saying: "There is no way in an all-consuming profession like journalism that a woman with children can devote as much time and energy as a man can."

"First of all, let me compliment you on your creativity. You almost had us on a couple of these deductions."

■ **Fidel Castro** speaks to World Health Organization in Geneva. Hundreds of United Nations workers turn out in support, yelling "*Comandante! Comandante!*" . . . Senegalese lawyer **Bacre Waly Ndiaye**, leading critic of U.S. death penalty, has been appointed to run UN human-rights office in New York. . . . Argentine Foreign Minister **Guido Di Tella** says ties to Iran will be cut to "minimal level" because of "knowledge gathered over Iran's link to the attack" in 1994 on Jewish residents of Buenos Aires, in which 96 died. . . . Queen **Elizabeth II**, in move to modernize monarchy, permits live television coverage of official ceremonies in royal palaces starting in July. . . . Pope **John Paul II** turns 78, moves into 13th place on list of longest-serving of the 264 pontiffs. . . . Netherlands requires country's orchestras to devote at least 7 per cent of performing time to works by native composers or lose state funding. . . . Haifa Municipal Theater in Israel cancels performances of *Othello* after lead actor knocks out actress playing Desdemona.

■ President Clinton, in speech celebrating 50th anniversary of Berlin airlift, offers tribute to highly decorated pilot **Gail Halvorsen**. "She is here with us today," says Clinton. Halvorsen, 77-year-old grandfather, stands up. "Thank you, sir," says embarrassed Commander-in-Chief.

■ Minnesotans attending Democratic state convention were asked not to use cologne or perfume because of those who might "experience unpleasant reactions," writes *Minneapolis Star Tribune*. "They want to regulate people right down to how they smell," says state GOP chief **Tony Sutton**. "Our convention will have loud noises, bright lights, and sweet-smelling people."

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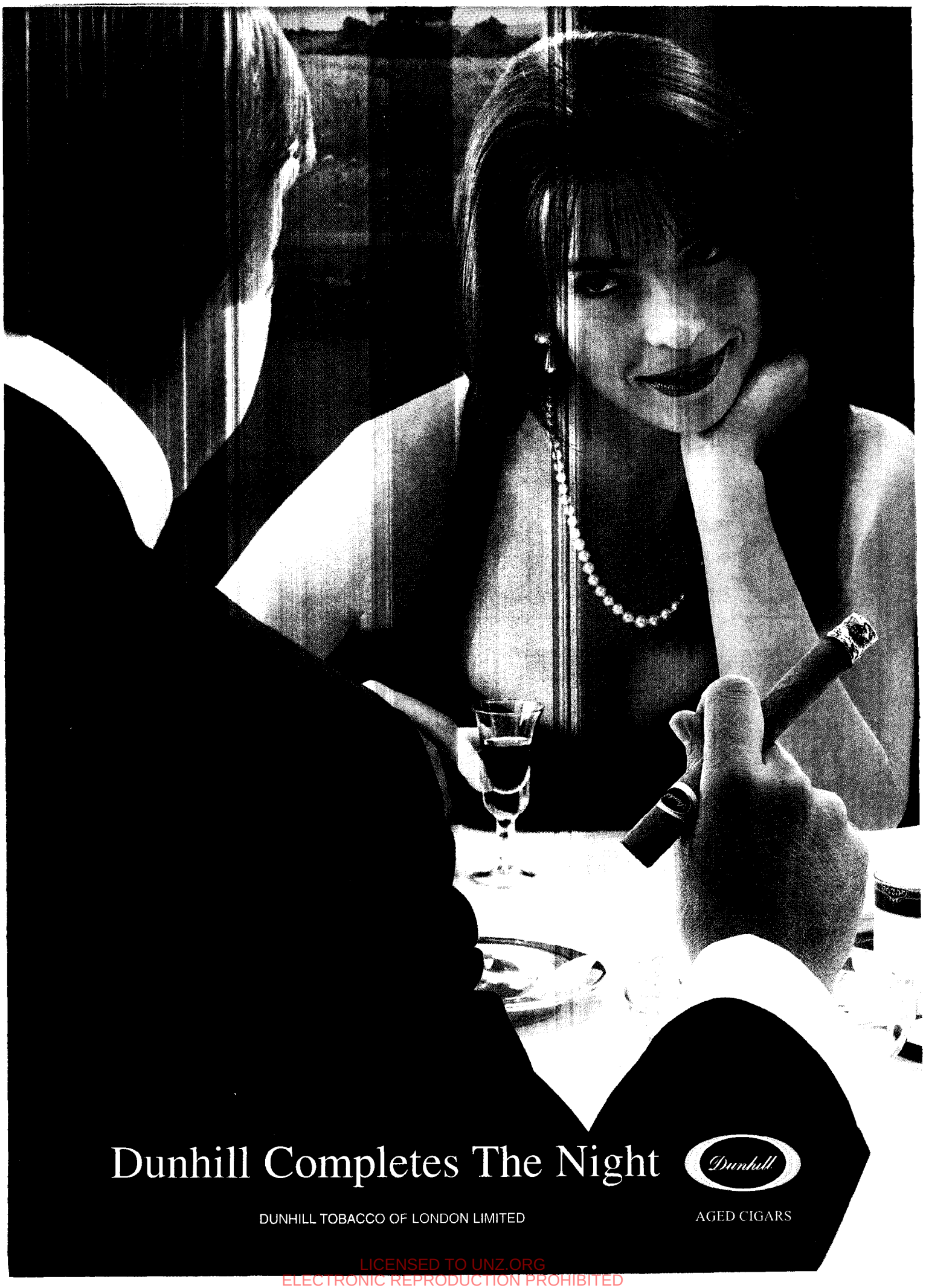

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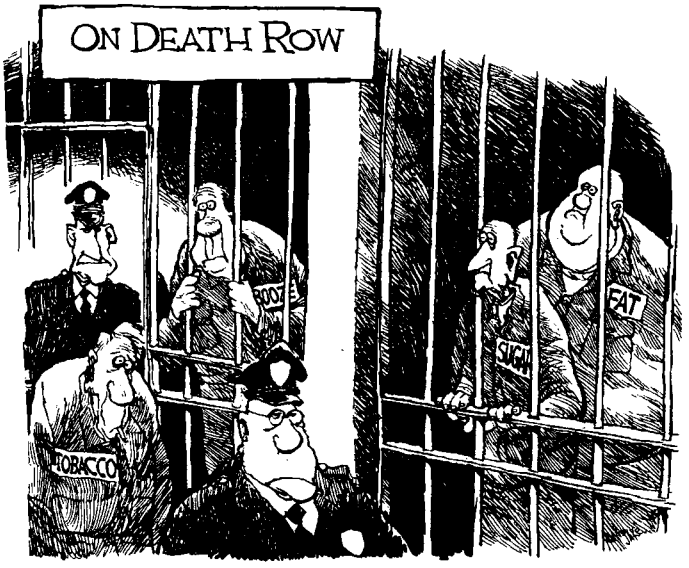
said Clinton. Instead, he abandoned thousands of poor parents and their kids to D.C.'s crumbling schools. When the Washington Scholarship Fund announced that it would offer a thousand private-school scholarships for needy children this fall, it received 7,573 applications. A recent *Washington Post* survey found that 60 per cent of black D.C. residents support private-school choice. Instead of responding to these pleas for help, Clinton has returned to his roots as a Southern governor, standing in the schoolhouse door, saying, "No."

■ New Jersey governor Christine Todd Whitman has proposed a 7-cent-per-gallon increase in the state's gas tax, and isn't it time to send that mythical beast, the moderate Republican, the way of the yeti and the UFO? Moderate Republicans were supposed to be socially liberal and fiscally conservative—or, more bluntly, pro-abortion and frugal. Gov. Whitman, New York governor George Pataki, and former Massachusetts governor William Weld were all held up as models of the breed. But Weld's fiscal restraint went off the rails, and Gov. Pataki has produced a budget like a pork sausage. Wouldn't you know, the Republicans most likely to hold the line on taxes and spending are the ones who hold the line on abortion? Stand up for one cause that is unpopular with the political establishment, and you can stand up for others.

■ For years, Marion Barry, mayor of Washington, D.C., has been the nation's foremost symbol of the self-aggrandizing poverty of black inner-city politics. He championed "the people" by building a patronage-riddled bureaucracy that helped strangle the economy and ruin public services; by running the D.C. police force into the ground (Barry: "I'm not going to let murder be the gauge [of police effectiveness], since we're not responsible for murder, can't stop the murders"); and, finally, by playing on black fears of racism to excuse his crack habit and womanizing. Barry's finest contribution to D.C. politics was to make it such a joke that Congress appointed a con-



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trol board to run the city. Now, with Barry stepping aside, even that inadvertent achievement will fade away. Party on, Mr. Mayor.

■ Like other states, North Carolina plans to use funds from last year's federal Kidcare law to create a new state-run child-health-insurance program. But its plan also contains a provision loosely based on a proposal by the free-market John Locke Foundation. Currently, the Federal Government distorts health-care markets by making employer-provided health coverage tax-free but taxing other kinds. North Carolina will level the playing field for the families of nearly half a million children. Now when they buy coverage on their own, they will receive a tax credit. Rep. Bill Archer (R., Tex.) and other national lawmakers are considering a similar federal tax credit for out-of-pocket health care costs. One down, 49 to go.

■ The results of the May 22 referendum on Northern Ireland seem at first glance to vindicate the complex agreement cobbled together, with American mediation, by the United Kingdom, the Irish Republic, and the political parties of Northern Ireland. In Northern Ireland 71 per cent voted yes, as did 94 per cent in the Irish Republic. But the deal remains much more fragile than most of the American media seem to grasp. Sinn Fein, while urging a yes vote, still has not signed the agreement. And it won the support of only the slimmest majority (apparently just over 50 per cent) of the Protestant unionists, a crucial constituency. The next tests will come in the new Northern Ireland Assembly, to be elected June 25. Die-hard Protestants, emboldened by the shaky unionist support, have vowed to obstruct Assembly business from day one. More Troubles ahead.

■ The final round May 24 of Hungary's general election seems to confirm a rightward trend in Central and Eastern Europe, even as Western Europe drifts left. Not only Hungary, Poland, and the Czech Republic but also Estonia, Lithuania, Slovenia, Rumania, and Bulgaria are now led by conservative governments. However, the Czechs may lurch left in their elections a few weeks hence. And the winner in Hungary, 35-year-old Viktor Orban, has espoused some policies that are more populist than conservative: more generous welfare payments; restrictions on foreign ownership of businesses; nationalist appeals to ethnic Hungarians in neighboring countries. The Hungarian stock market took a nosedive at his election. With a little experience, though, Orban should be able to master his economics and begin the development of a solid conservative tradition in Hungary.

■ During Senate floor debate in 1996 on a bill to ban partial-birth abortion, Sen. Rick Santorum (R., Pa.) was told that he could not make a judgment about something that had never touched his life. Less than a month later, Santorum's wife, Karen, pregnant with their fourth child, had a miscarriage. *Letters to Gabriel* chronicles Gabriel

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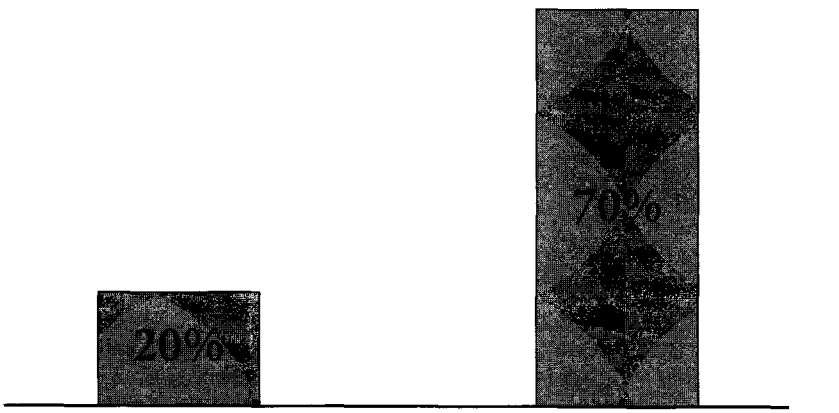
What Do Americans Think Supporters Of The Tobacco Bill Are Really Interested In?



Source: *Wall Street Journal* / NBC News Poll by Hart-Teeter, as reported in the *Wall Street Journal*, April 23, 1998.

The American people get it. They want to see underage use of tobacco products lowered, but they know that $500,000,000,000 in new taxes, new government bureaucracies and a black market aren't the way to do it. The American people might also find it curious that just two years ago, the FDA told them it had designed rules to cut youth smoking that wouldn't require any new taxes. You can fool some of the people some of the time, but not all of the people all of the time.

You don't have to like the tobacco companies to understand that old-fashioned tax and spend politics has hijacked tobacco legislation.

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A Helpful Analogy

The camel's (that's Bill Clinton's) back
Seems suddenly about to crack
As straw (that's Schwartz's orbit biz)
Weighs on the camel's rheumatiz
Until the camel (Clinton) sports
A sagging middle that contorts
When straw—the last one—lands (ka-BOOM!)
And files shake in a family room.

—W. H. VON DREELE

tests. Yet, under current law, sanctions must be kept in place long after their failure is clear.

A more effective course would be to allay the security fears that are driving this nuclear-arms race—but that would require discussions between our militaries and theirs that sanctions prohibit. Our refusal to sell conventional weapons to Pakistan, whose army is half the size of India's, helped make the nuclear option inevitable. Reversing this policy should be part of a strategy to induce future restraint on Pakistan's part—including not sharing the "Islamic bomb" with other Muslim states.

In this situation, blaming China and calling on President Clinton to cancel his trip there are misguided. For one thing, China's alleged "provocation" of India is exaggerated; China, after all, has had nuclear weapons since 1964. And China's nuclear help to Pakistan, while deplorable, is simply not as inimical to U.S. interests as, say, its help to Iran. There is a lot to talk about in China—a possible Sino-Indian modus vivendi, Sino-American assurances to Pakistan, and other strategic questions.

Any non-proliferation policy is a holding action. In the long run, security from nuclear threats requires missile defense. The Administration's doctrinaire allergy to deploying serious defenses against ballistic missiles is as indefensible as it leaves the country.

At Home, and Abroad

LIKE the sections of a newspaper, the Clinton scandals break into two neat categories—domestic and foreign.

Fearing a rebuff from the Supreme Court, the Clintonites gave up their efforts to maintain that the President's conversations with advisors Bruce Lindsey and Sidney Blumenthal about Monica Lewinsky were covered under executive privilege. The claim was absurd—Miss Lewinsky is not a treaty, or a declaration of war—and the Clintonites were merely stalling. The White House is falling back on Dodge B: that the President's conversations with Lindsey fall under attorney–client privilege. This is also absurd. The President has an attorney, David Kendall, whom Starr has never subpoenaed. Bruce Lindsey, as deputy White House counsel, is paid not by the Clintons but by the taxpayers. More stalling tactics.

Meanwhile Blumenthal—and Lindsey, whenever he faces a grand jury—will say, like so many Clintonites before them, that they can't recall anything relevant. Let's hope the code for the football is written down on a piece of paper somewhere; the Chinese missiles would land before anyone in this crowd remembered it.

The greater danger to the President comes from the possible testimony of the Secret Service. The claim of a "protective privilege" is also groundless and would make the Secret Service a Praetorian Guard.

Starr is now asking the Supreme Court to resolve all these privilege claims on an emerging basis. If he eventually wins—as seems likely—will anyone care? The White House hopes that a non-judgmental populace will shrug off the Monica story. Keep your eye on the ball: Mr. Starr wants to know, not whether the President is a compulsive party-boy, but whether he is a liar and a fixer too.

Is he a traitor as well? Just as Congress was casting an unfriendly eye on Administration waivers allowing the sale of rocket technology to China, Johnny Chung, one of the many DNC slush-funders, revealed that $300,000 of his 1996 campaign cash had come from a Chinese army colonel in China's aerospace industry.

Alexander Hamilton warned that foreign influence was the Trojan horse of republics. By that he meant direct pressure or bribery, achieving concrete practical gain. In fairness to the President, this is probably not the case here. Arranging sweetheart deals between the Chinese government and American business outside the parameters of hard-nosed strategic calculation has a long history. President Clinton would have approved the waivers even if his campaign were flush, and he were honest.

But foreign influence can be a Trojan horse in subtler but equally damaging ways—not by weakening a republic's security, but by undermining republican trust, between leaders and citizens. A leader who is wrong but disinterested can be disputed. When a leader is wrong but corrupt, malaise sets in. Probably there was no quid pro quo in Clinton's missile diplomacy and campaign money-raising. But calculating probabilities is not a healthy frame of mind for a democracy.

We won't recover our health until this President leaves office.

Playing Monopoly

THE Justice Department filed suit against Microsoft under the Sherman Antitrust Act, joined by twenty state attorneys general whose participation in the case serves no function other than grandstand-

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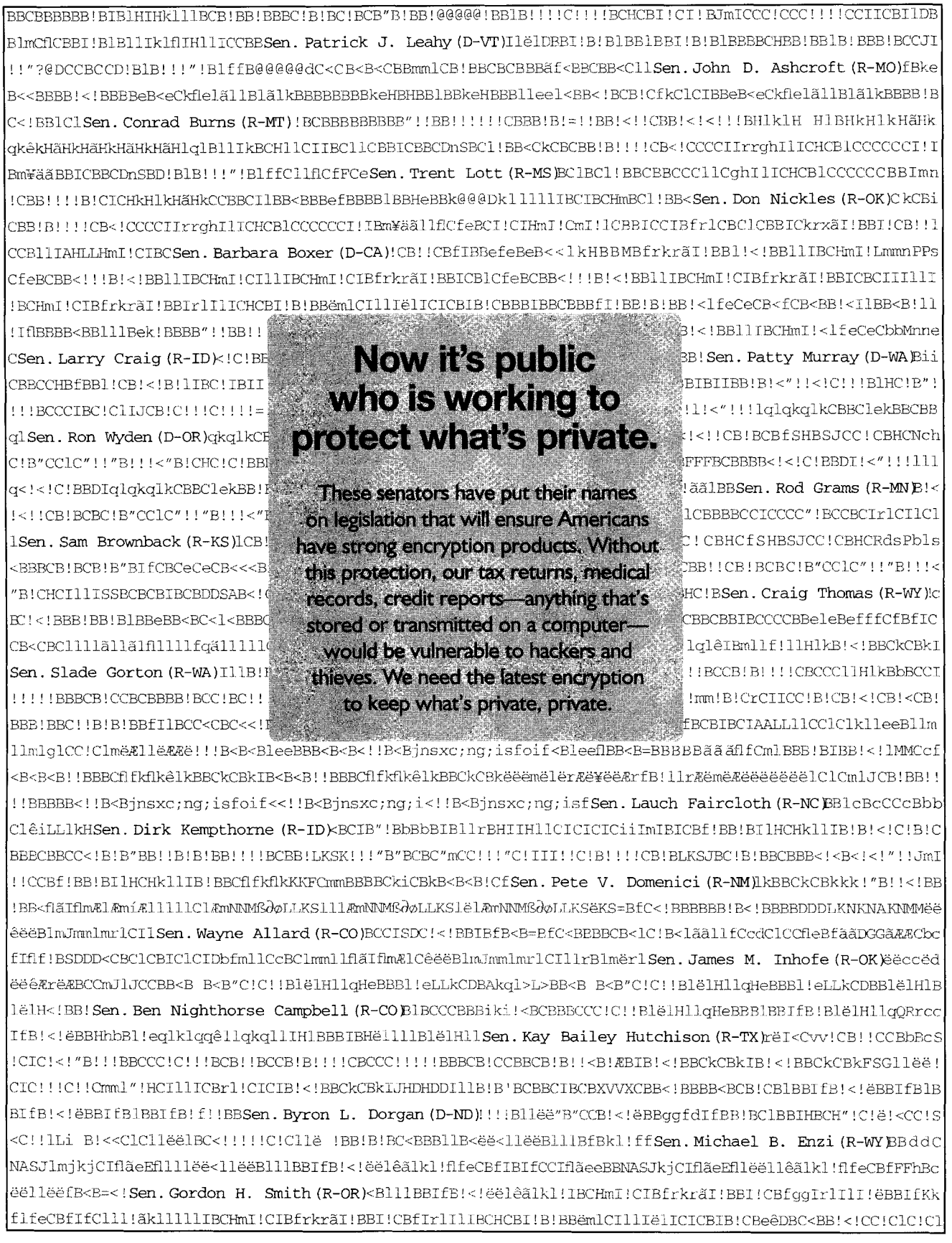
Now it's public who is working to protect what's private.
These senators have put their names on legislation that will ensure Americans have strong encryption products. Without this protection, our tax returns, medical records, credit reports—anything that's stored or transmitted on a computer—would be vulnerable to hackers and thieves. We need the latest encryption to keep what's private, private.

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ing. The government charges that Microsoft, by offering an Internet browser for free with its operating system, is using its dominance of the latter market to gain an advantage in the former. It is said thereby to be gaining an unfair advantage in browsers or (take your pick) unfairly maintaining its advantage in operating systems.

Microsoft cannot be reaping monopoly profits in browsers, however, unless the price of the combined package exceeds its value—thus creating an opportunity for competitors. Neither does it make sense to say that Microsoft maintains a monopoly by offering additional products. A company that has achieved monopoly status raises prices and restricts outputs rather than improving quality—that's why government is supposed to worry about monopolies in the first place.

Similar self-contradictions beset the other complaints about Microsoft. If costs decrease and benefits increase the more products one company makes—which is what the arguments about economies of scale and "network effects" mean—that merely suggests that this company *ought* to have a large share of the market.

The Justice Department, trying its hand at industrial policy, says that Microsoft's predatory practices are the only thing standing between consumers and a new vision of "network computers" in which rival Netscape's browser acts as a surrogate operating system. But if so, competitors could bypass Microsoft software altogether—hence no monopoly power.

Microsoft critics lean heavily on the precedent of the 1951 *Lorain Journal* case, in which a newspaper's refusal to run advertising by companies with ads on a competing radio station was held to be illegal. Even assuming the

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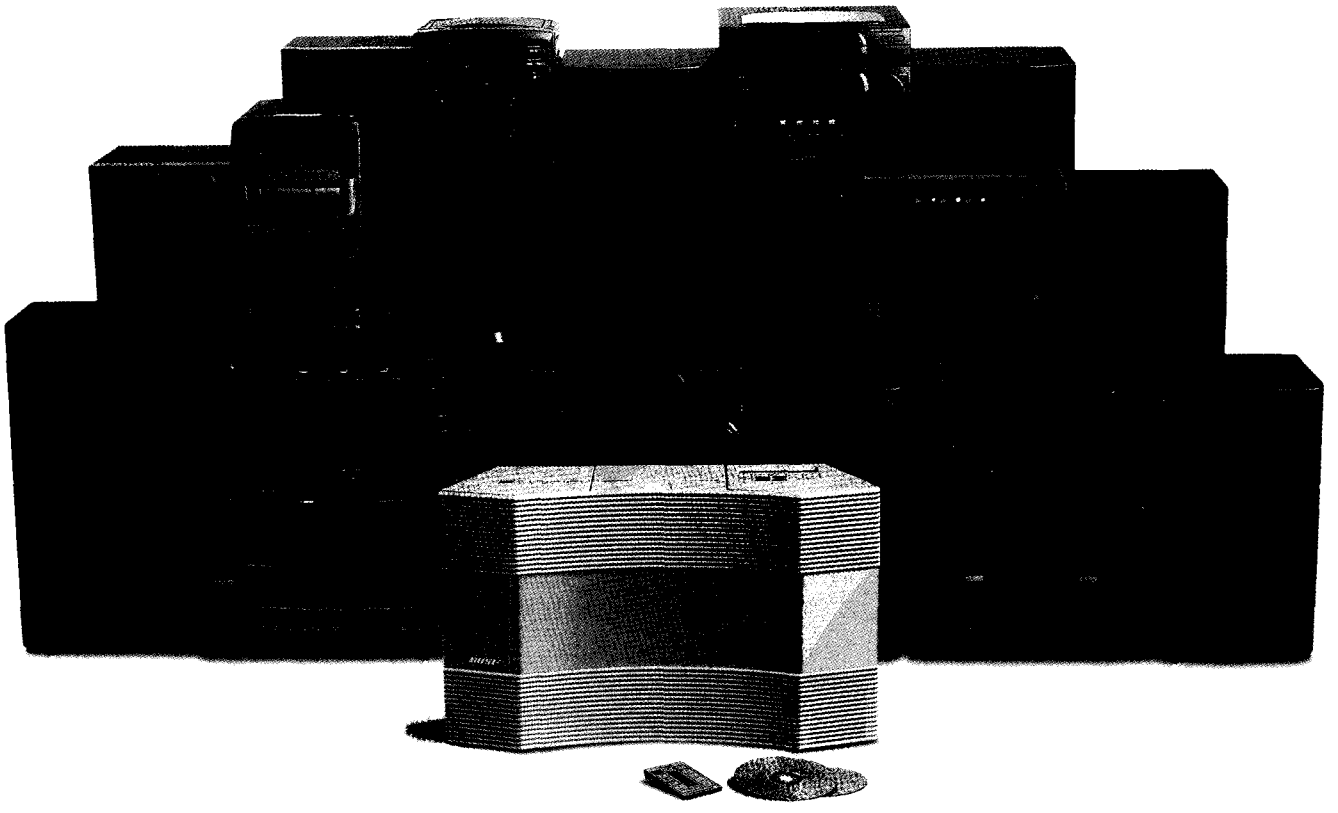

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A Bad Patch

With Russia's ruble looking drab
As Monica prepares to blab
And Kosovo comes to a boil,
New Delhi stops observing Hoyle,
Which stuns the CIA and leaves
Bill Clinton staring up his sleeves,
Although Confucius says, "Thumb stuck
In Hindu eye brings lots of luck."

—W. H. VON DREELE

case was correctly decided, the comparison is inapposite. A newspaper has a shelf life of one day, and so purchases must be renewed. Operating systems are durable goods; each new version of Windows has to compete with the versions consumers already own. The potential for market power is thus much lower.

The Sherman Act is vague. But previous decisions suggest that the government will have to prove that Microsoft's offering of its browser along with its operating system serves no purpose other than squashing competitors. That means it will have to show there is nothing at all to the company's contention that it is integrating its products for the benefit of consumers. That will be hard to show, especially since everyone else in the industry is also integrating products.

What the government demands is that Microsoft either stop including its browser, or start including the browser of its archrival, Netscape, in the latest version of its operating system, Windows '98. It is an extraordinary demand, one that treats private property as a public utility and gives the lie to the contention of Microsoft's critics that they have no intention of micromanaging software design. News reports suggest that trustbusters at Justice have been floating the idea of breaking up the company. What Sherman's older brother did to Georgia, his act might yet do to the software industry.

Frank Sinatra, RIP

THERE is something paradoxical about the idea of an artist or an entertainer also being a gentleman. Gentlemen, as originally defined, did not practice a trade or a profession—certainly not one that involved public performance. The cultists who believe that the Earl of Oxford was Shakespeare have always argued, plausibly enough, that no Elizabethan earl would want his playwriting known, even if he had written *Hamlet*.

Over time, artists/entertainers raised their sights, and the notion of gentlemanliness expanded. Pope and Garrick achieved gentility for writers and actors in the eighteenth century; Chopin and Liszt for "serious" musicians in the nineteenth. In the 1930s and '40s, popular culture in America had a genteel moment, when tap dancers (Fred Astaire), heartthrobs (Cary Grant), and band leaders (Duke Ellington) incarnated well-bred elegance.

Frank Sinatra moved on from the genteel moment in two contradictory ways. For all his black-tie smoothness, his public persona had a thuggish edge. Like many weak men, he was a bully, and like many small bullies, he had goons (often mob-loaned) do his dirty work—e.g., beating up reporters. His behavior toward women was proudly predatory. His idea of the beau geste was to tell former wife Mia Farrow that he could arrange to break Woody Allen's legs, after Allen fell in love with Miss Farrow's adopted daughter. Sinatra's Kennedy connection, it turns out, was stylistic as much as it was political.

But in the recording studio, he was earnest and adroit, combining the best qualities of the journeyman and the genius. The recordings, the only reason anyone will care about him a century from now, captured a voice which Terry Teachout, in these pages, compared to that of the *Lieder* singer Dietrich Fischer-Dieskau.

Bing Crosby, Sinatra's forerunner and inspiration, had a better natural instrument and better jazz timing. What Sinatra brought to popular music was an ability to shape a song, and to make of it a minutes-long drama. Hearing him sing even a simple standard like "I'll Be Home for Christmas" for the first time is a jolt. Who knew that the Top 40 could express such yearning and such pain—with such smoothness, tenderness, and tact?

Barry Goldwater, RIP

IN 1964 the fear & loathing of Barry Goldwater was startling. Martin Luther King Jr. detected "dangerous signs of Hitlerism in the Goldwater campaign." Joachim Prinz, president of the American Jewish Congress, warned that "a Jewish vote for Goldwater is a vote for Jewish suicide." And George Meany, head of the AFL-CIO, saw power falling into "the hands of union-hating extremists, racial bigots, woolly-minded seekers after visions of times long past." On Election Day Goldwater suffered a devastating defeat, winning only 41 electoral votes.

It was the judgment of the establishment that Goldwater's critique of American liberalism had been given its final exposure on the national political scene. Conservatives could now go back to their little lairs and sing to themselves their songs of nostalgia and fancy, and maybe gather together every few years to hold testimonial dinners in honor of Barry Goldwater, repatriated by Lyndon Johnson to the parched earth of Phoenix, where dwell only millionaires seeking dry air to breathe and the Indians Barry Goldwater could now resume photographing. But then of course 16 years later the world was made to

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Were American missile secrets given to Communist China by Bill Clinton's biggest political donor?

The Pentagon and Justice Department wanted to know. But early this year, President Clinton took steps to make sure their investigation was killed, according to an exclusive New York Times report which appeared last month.

Did Bernard Schwartz and Loral sell sensitive dual-use missile technology?
The largest single contributor (more than $1 million) to the Democratic campaigns of 1994 and 1996 is Bernard Schwartz, CEO of Loral Space and Communications Ltd. A secret report prepared by the Defense Department in May 1997 revealed that Loral and another company, Hughes Electronic Corp., had provided China's space industry with specific technological expertise that allowed it to strengthen its nuclear and missile capabilities. The Pentagon report concluded that, as a result, "*United States national security has been harmed.*" This report triggered a criminal investigation by the Department of Justice.

Did President Clinton undercut a criminal investigation of Schwartz's company by the Justice Department?
President Clinton's response? Last February, Mr. Clinton granted a special waiver allowing Loral to provide even more highly-sensitive information that will further improve Communist China's ability to hit targets in the United States in the event of a future conflict. According to the *New York Times*, the President's decision effectively undercut the Department of Justice's criminal investigation.

Are the President's rich friends off the hook today when American families are targeted by Communist missiles tonight?
The President's waiver didn't just get his friends at Loral and Hughes out of a criminal investigation. Two years ago, during the crisis in the Taiwan Straits, a Chinese official warned that China had the capability to hit the people of Los Angeles with an intercontinental nuclear-tipped missile. Now that threat has become even more ominous.

Is America's long-term security being sold out for the President's short-sighted political agenda?
Is this the way national security policy in the United States should be run? Or do we need to find out more about the export of our highest-level military technology to Beijing? Was there a connection between campaign contributions and leniency toward huge corporations suspected of giving away our defense secrets?

Will you call your Representatives and Senators today?
If you believe we need answers to all these questions, write or call your Congressional Representative and U.S. Senators today. It is time for Congress to stop the President's dangerous giveaway of American defense technology.

Call the U.S. Capitol today at 202-225-3121

Or write to your Congressional Representative and Senators at:

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U.S. Senate, Washington, DC 20510

Congressional Representative:
The Honorable _____
U.S. House of Representatives, Washington, DC 20510

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stand on its head when Ronald Reagan was swept into office on a platform indistinguishable from what Barry had been preaching.

During the campaign of 1964, Goldwater was our incorruptible standard-bearer, disdainful of any inducements to bloc voting. He even gave the impression that his design was to alienate bloc voters. He didn't mean to do that; he was simply engaging in acts of full political disclosure in an attempt to display the architectural integrity of his views, at once simple in basic design, and individualistic and artful in ornamentation.

But by the end of last month the cumulus clouds had all gone. On the weekend of his death it was clear from the public commentary that Barry Goldwater was now the object of nostalgic curiosity and—even—of affection, here and there self-reproachful. When someone about whom such dire things had been said turns out to be as dangerous as your local postman, no meaner than a summer shower, the conscience is pricked.

WHAT finally lodged in the memory of most Americans, to be sure, wasn't so much Goldwater the Conservative as Goldwater the individualist. He was never entirely imprisoned by ideology. In the last dozen years he had disappointed friends by declining to support constitutional amendments that would have reversed some of the decisions taken by the Supreme Court, decisions he once vigorously opposed. The public's final impression was of a thinker—or, better, a commentator—given primarily to home-grown attachments and individualized formulations. He said what he said because he was what he was. And then too there was his personal way of living and acting. He was venturesome, proud, determined, a bit of a daredevil.

KARSH—WOODFIN CAMP

In 1969 he flew me, my wife, and a friend from Phoenix for a tour of the Grand Canyon, acting as pilot and tour guide, moseying high in the air over territory he knew so well, Indian country, mining country. Over there—"See?" he pointed—is where he once crash-landed an Air coupe. Bits and pieces of the airplane are still cherished by the Navajos as amulets, and as eternal proof that flying over their territory is forbidden by their earth god, a reverence for whom prevents them even now from permitting wells to be drilled. "They need to go three miles for water," he explained. Seated on his right in the co-pilot's seat was a tiny old woman right out of Grandma Moses, wearing a shawl, and working on a piece of crochet. What was she doing there? She was (we learned) one of the important women fliers of the past forty years, a test pilot and instructor of legendary reputation. She was there that day—and every day thenceforth that Goldwater would fly—because the insurance company, now that Goldwater was sixty years old, required a qualified co-pilot when he flew his Bonanza. So he had picked out "Miss Ruth," who seemed about a hundred years old. She kept an eye on the instrument panel, even though the crocheting never stopped.

We were getting close to the airport and Captain Goldwater radioed ahead that he would be landing "in seven minutes." I stared out over the horizon: there was no airport in sight. I told him I thought his exact 7-minute estimate pure conceit. He gritted his famous jaw and ostentatiously activated the stopwatch. Six minutes and 45 seconds later we are within a few hundred feet of the runway. He throttles way down to stretch out those 15 seconds. But Miss Ruth calls his game. Without turning her head she says: "You want to reach the field or you want to stall?" ("Shut up, Ruth! Your job is to tell me when we are on the ground.") She parts her lips, a grandmotherly smile, and resumes her crocheting—she has made her point. Goldwater applies a little more throttle but arcs the airplane right and then left to consume the obtrusive seconds. At exactly seven minutes on the stopwatch the tires touch down. Miss Ruth continues with her crocheting as we taxi in. Goldwater looks back at his challenger, arches his brow, and says, "I told you seven minutes, didn't I?"

He would rise early, at Be-nun-i-kin, the Navajo name given to his home. That morning he had spent two hours, as he regularly did when at home in Phoenix, patching calls from Vietnam soldiers to family and friends via ham radio, a lifelong avocational interest. After that he went to his desk and greeted his houseguest. Though it was only 8 A.M. the doorbell rang—it often rang, tourists cruising by to take a picture of the home and grounds of the defeated presidential candidate and, with any luck, of its owner. Goldwater ignored the bell, continuing his conversation, but instinctively sliding his chair back, out of the line of sight from the door. That way when Mrs. Goldwater or the maid opened it, the tourist wouldn't spot Goldwater behind the desk. But this morning the large lady had her camera in hand and called out. "Senator Goldwater? Are you there? I want just one picture."

"Okay," Goldwater called out. "Just give me a minute so I can put on my pyjamas."

From that desk, his secretary told me, he had dictated 24,000 letters the year before. The voluminous correspondence went on year after year until his first stroke, three years ago. It didn't matter that he was no longer in the Senate, or contending for one more election. That, simply, was the way he lived, the way he reacted to people. The day after he died a stranger reached me. Did I know what charity Senator Goldwater had designated to receive gifts in his name? She wanted to do something, to give something, because thirty years ago, when she was desperate to hear from her husband in Vietnam, her

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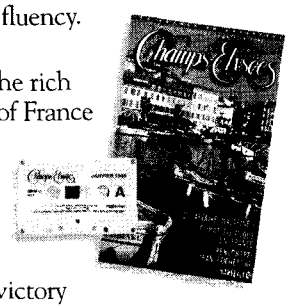
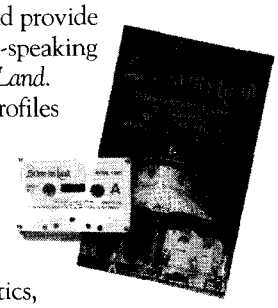
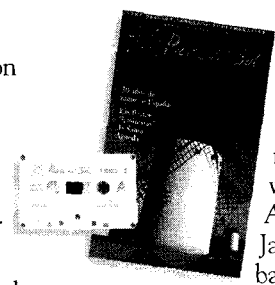


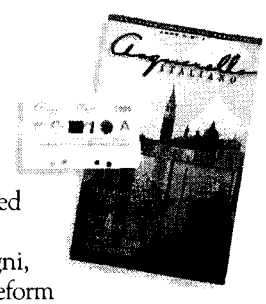
Champs-Elysées in French: The rich traditions and contemporary *élan* of France resonate through each edition of *Champs-Elysées*. Interviews with fashion designer Christian Lacroix, choreographer Roland Petit, and chef Alain Ducasse, an analysis of the stunning Socialist victory in the recent legislative elections, and a feature on the life and poetry of Jacques Prévert are among the recent segments on this lively French-language audiomagazine.

Schau ins Land in German: Professional journalists in Germany, Austria, and Switzerland provide a fascinating overview of German-speaking Europe every month in *Schau ins Land*. Recent programs have included profiles of Austria's new chancellor Viktor Klima and industrialist Ferdinand Porsche, visits to Berlin's Scheunenviertel and Lake Constance, a two-part feature on the history of Zeiss Optics, and interviews with conductor Kurt Mazur and tennis ace Boris Becker.





***Puerta del Sol* in Spanish:** A talented group of broadcast journalists in Madrid examines the colorful textures of Hispanic culture every two months in *Puerta del Sol*. Interviews with Spanish prime minister José María Aznar and NATO secretary-general Javier Solana, a profile of Cuban ballerina Alicia Alonso, and a feature on Spanish sparkling wine are just a sample of the intriguing segments on recent editions of this Spanish-language audiomagazine.



Acquerello italiano in Italian: Produced six times a year in Rome, *Acquerello italiano* showcases the vitality and style of contemporary Italy. Recent programs have included interviews with film director Mario Monicelli and politician Mario Segni, as well as features on educational reform in Italy, the reopening of the Doria Pamphilj Gallery in Rome, the impact of the Albanian crisis on Italy, and Naples's underground world.

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phone rang early one morning. It was Senator Goldwater, patching in a call from her husband.

He was that way. He was the national figure, Mr. Conservative; but his private renown derived from his character, which even strangers coming to his door with a camera could instantly experience. He never changed, friendly but firm, a very grown-up man with a boyish streak. The guest who asked a provocative question could expect a very direct response, very different from weaving about in the air to postpone touching down.

HE alarmed less and less, drew benevolent attention more and more. Even twenty years ago an old antagonist said it, with a nice turn—100 per cent ADA liberal Senator Hubert Humphrey to 100 per cent ACU conservative Senator Barry Goldwater: "Barry, you're one of the handsomest men in America. You ought to be in the movies. In fact, I've made just that proposal to Eighteenth Century Fox." I can guess Goldwater just smiled at the lovable, loquacious populist. But others, looking on, would venture that, back in the eighteenth century, Barry Goldwater would have been more at home at the Convention in Philadelphia than most modern liberals. —WFB

NOTES & ASIDES

■ Dear Mr. Buckley:

I write this missive with a great deal of compunction (inasmuch as you are a person for whom I have the utmost respect), but I should like to question your rather frequent use of the construction "so therefore" in speech. I realize that this is a common verbal sin which doubtless many are culpable of (indeed, I have heard figures as diverse as I. M. Pei and Noam Chomsky peppering their speech with "so therefore"). *Pace* your linguistic skills, could you possibly be incorrect in your usage?

Pedantically yours,
Bobby L. Smiley
Madison, Wis.

Dear Mr. Smiley: Bergen and Cornelia Evans (*A Dictionary of Contemporary American Usage*) shed this light on the question: "*So* is often used to introduce a conclusion and then has the form of 'therefore,' as in *you advised me to go, and so I went*. This is standard English. It may also be used to indicate mere sequence in time, as in *and so to bed*. This use of the word as a loose connective is now rare among educated people." So . . . where are we? *He refused to lower the price. So I left the shop.* On the other hand, *He refused to lower the price, so therefore I said to hell with him*. My own sense of it is that the therefore emphasizes the reason for the sequential act, rather than merely giving it as a consequence. But I don't know . . . it's interesting that it hits your ear wrong. Cordially, WFB

■ Dear Mr. Buckley,

I received your mass-mailer form letter the other day asking me to subscribe to NATIONAL REVIEW. With all due respect, Bill, why should I subscribe to your magazine when you didn't take the time to respond to my July 23, 1996 letter?

In that letter I asked you if you were a member of the international, aristocratic group known as the Illuminati, and if, out of fear of a repressive government, you can your own food. I don't think answering a couple of simple questions like that is too much to ask. A simple yes or no would have sufficed.

Regards,
Ward Parker
Papillion, Neb.

P.S. How does one go about applying for a staff writer position at NATIONAL REVIEW? Would sending along a couple of bucks with my résumé help to ensure that it goes to the top of the pile?

Dear Mr. Parker: No on Illuminati and no on canned food. And yes on the two bucks—you will get an instant response on your application, just as fast as if you sent a thousand bucks. Cordially, WFB

■ Dear Bill,

I am writing in regard to a matter of some importance, but about which there has been very little public discourse. My question is: At the stroke of midnight on January 1, 2000, due to computers not knowing what century it is, will 1) planes fall from the sky? 2) bank balances disappear? 3) all monitoring equipment in hospitals stop? 4) paychecks, dividend checks, pension checks, etc., be unable to be issued? 5) elevators stall between floors (or worse—plummet to the basement)? 6) a world-wide economic depression begin? And most important of all—can steps be taken within the next 19 months to prevent these disasters?

Respectfully,
Betty Klink
Dearborn, Mich.

Dear Betty: We have been here and there warned not to be blithe on the subject. In a truly scary op-ed piece in the *Wall Street Journal*, the writer said that even a national recession was conceivable. As a practical matter, he urged that no one should make reservations to travel during the ensuing fortnight after midnight, and that we should stock provisions in the house, etc. Most of us—I think—assume that Silicon Valley will come up with something in due course. If it means two weeks without government spending, we'll all be rich by the end of January. Cordially, **—WFB**

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CAPITAL SCENE

The China Connection

FRED THOMPSON

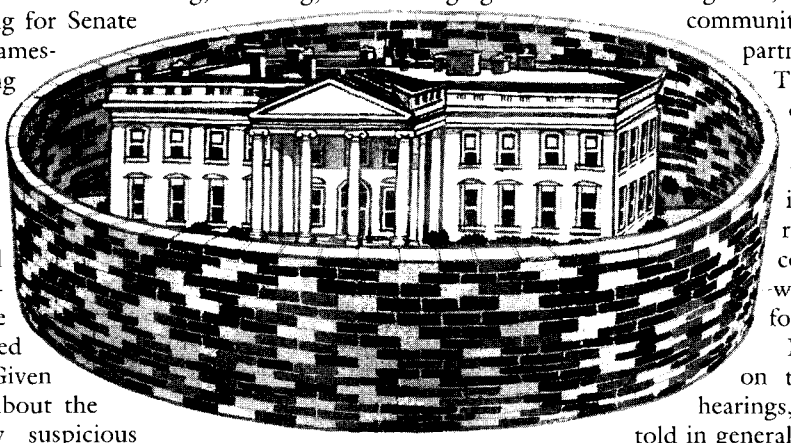
ON May 15, the *New York Times* broke the story that in 1996 Johnny Chung, a major Democratic fundraiser, took $300,000 originating from Chinese military intelligence to contribute to the Democratic National Committee. The Chung revelations have suddenly rekindled interest in the campaign-finance investigation my Senate Committee conducted last year. But the new information isn't really that new, only seeming to confirm the so-called "China Plan" I first disclosed in July 1997.

The history of the China Plan investigation by the Committee on Governmental Affairs began with media reports. In February and March of last year, while we were waiting for Senate Democrats to end their gamesmanship over authorizing the investigation, Bob Woodward and others reported that American intelligence agencies had evidence of Chinese officials' planning to funnel contributions into American campaign coffers. These front-page stories appeared well sourced and reliable. Given what was already known about the foreign lineage of many suspicious DNC contributions, I directed the Committee staff to investigate what the U.S. intelligence community knew about Chinese efforts to influence our election process. I believed that surely all the members of the Committee would close ranks on a matter of such importance to our national security, no matter where the trail led. And surely the intelligence agencies would have a handle on the subject matter.

Mr. Thompson, U.S. senator from Tennessee, is chairman of the Committee on Governmental Affairs.

I was wrong on both counts. It quickly became apparent that the intelligence agencies had not undertaken serious assessments of Chinese activities, nor were they very good at sharing information among themselves.

Nevertheless, what was in the intelligence files was disturbing. The Committee saw evidence of a plan approved in mid 1995 at the highest levels of the Chinese government to increase China's influence over our electoral process. Although the Chinese plan contemplated legitimate activities akin to lobbying, it also included illegal activities. The evidence indicated the Chinese were at least considering funding, directing, or encouraging contributions to American campaigns. By this time, of course, the DNC had returned millions of dollars that looked suspiciously foreign. Our public investigation was beginning to trace much of the money to people connected with China. Our suspicions seemed to echo those of the FBI. In mid 1996 the FBI had briefed seven members of Congress and the National Security Council about Chinese efforts, describing illegal plans for the clandestine funding of American political campaigns. This had been reported in the press.



Frederick H. Carlson

In June 1997, I and other members of the Committee, both Republicans and Democrats, held a closed-door meeting with the heads of the intelligence agencies to discuss the intelligence thus far gathered. I wanted them to appear as witnesses before the Committee, a suggestion they resisted mightily because they feared that public exposure could compromise their sources and methods. These concerns sounded reasonable, and so we discussed as an alternative my giving a brief public statement describing in general terms what the Committee had found, this statement to be sanitized ahead of time of any details that might reveal the agencies' sources and methods. They agreed. So far, so good.

On July 1, I drafted my statement and sent it to the agencies and also made it available to Senator John Glenn, the ranking Democratic member of the Committee. A week of negotiations with the agencies ensued over the precise wording of my proposed statement. When it became final, I asked Senator Glenn to join me in issuing it, which he declined to do.

As our hearings approached, I had a difficult decision to make. I had a divided Committee, a cutoff date on the investigation, an unfocused intelligence community, and a Justice Department Campaign Finance Task Force in disarray. No one seemed to be aggressively pursuing this matter. I could sit on the information and run the risk that it would never come out, or I could tell what we knew and try to force the issue.

I delivered the statement on the opening day of the hearings, July 8. The statement told in general terms of the existence of a Chinese plan and the fact that the plan contemplated illegal activity; it observed that although the plan focused primarily on Congress, "our investigation suggests it affected the 1996 presidential race and state elections as well."

The partisan counterattack started immediately. Some Democratic Committee members took strong issue with what I said. We clearly had different views even though we had access to the same intelligence information. Following their lead, sources at Justice scrambled to minimize the role the FBI had in assisting with my statement.

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While the attacks on my statement would continue to be a distraction, we went ahead with reviewing the intelligence work. That task was complicated by the fact that the agencies were unaware of some extremely relevant information sitting in their own files. Twice, for example, late in our investigation, Justice apologized for its lateness in providing important revelations about key China-related campaign-finance figures. The information had languished in its files for months and sometimes years.

One must wonder if the trail has gotten cold while we have been arguing.

Despite the problems, we uncovered additional evidence indicating that Chinese officials had not simply formulated but also implemented their plan. We reviewed information regarding political efforts directed by Peking and its diplomatic posts in this country, including some specifics on illegal activity, most of which remains classified. Perhaps more importantly, we learned names. Information surfaced about the ties to the People's Republic of China of several prominent DNC fundraisers—Maria Hsia, Ted Sioeng, John Huang, Mochtar and James Riady, and Charlie Trie.

The most precise information concerned Ted Sioeng (who contributed $400,000 to the DNC) and Maria Hsia (who helped organize the April 1996 Hsi Lai Temple fundraiser the Vice President attended). At the suggestion of the agencies, we identified Mrs. Hsia as a clandestine agent of the Chinese government and Sioeng as a longtime worker on behalf of the Chinese government who reported to Communist officials in Peking. All these individuals have taken the Fifth Amendment, fled the country, or both. And although Chung is the hot news, these people funneled $4.5 million into the DNC.

The Committee's final report sets forth the results of our investigation to the fullest extent publicly possible. The Committee concluded that in the light of the plan, the ties of many leading Democratic fundraisers to the PRC government, and the money trail leading back to the Greater China area, "there is strong circumstantial evidence that the PRC government was involved" in funding, directing, or encouraging illegal contributions to American political campaigns during the 1996 election cycle. We emphasized that while the intelligence information seemed pretty clear it did have some gaps. Moreover, no consensus existed regarding whether we were witnessing a single plan or a series of possibly coordinated efforts by different parts of the Chinese government. Again, we vetted the report with the intelligence agencies, and they carefully scrubbed potentially source-identifying information.

Nevertheless, many media accounts characterized the report as interesting but a failure because we did not demonstrate conclusively the flow of specific Chinese dollars into specific campaigns. The Democrats on the Committee issued a minority report which minimized and denigrated the significance of our findings.

Now Johnny Chung has gotten everyone's attention. However, Chung is describing events that are two years old. One must wonder if the trail has gotten cold while we have been arguing. On the public record, we have had press accounts, FBI briefings to members of Congress and the National Security Council, and our Committee report—all demonstrating a China plan and strong evidence of Chinese money. However, in today's partisan atmosphere, the message seems to be, "Prove it all conclusively and immediately or discuss it at your own risk."

It's a trap Republicans may fall into again. Now that we also know that President Clinton was loosening restrictions on technology transfers to China at the same time that Chinese money was coming into his campaign, everyone is jumping to the question of quid pro quo, something that is almost never provable by direct evidence. While this must be vigorously investigated, Congress should not allow itself to slide past the Chinese-money issue, a major scandal with serious ramifications, and on to something very unlikely to produce a "smoking gun."

However, it is aggressive criminal prosecution that is most likely to convince others, like Chung, to talk. The prospect of jail time and the need to make a deal are powerful incentives. Ask John Dean. □

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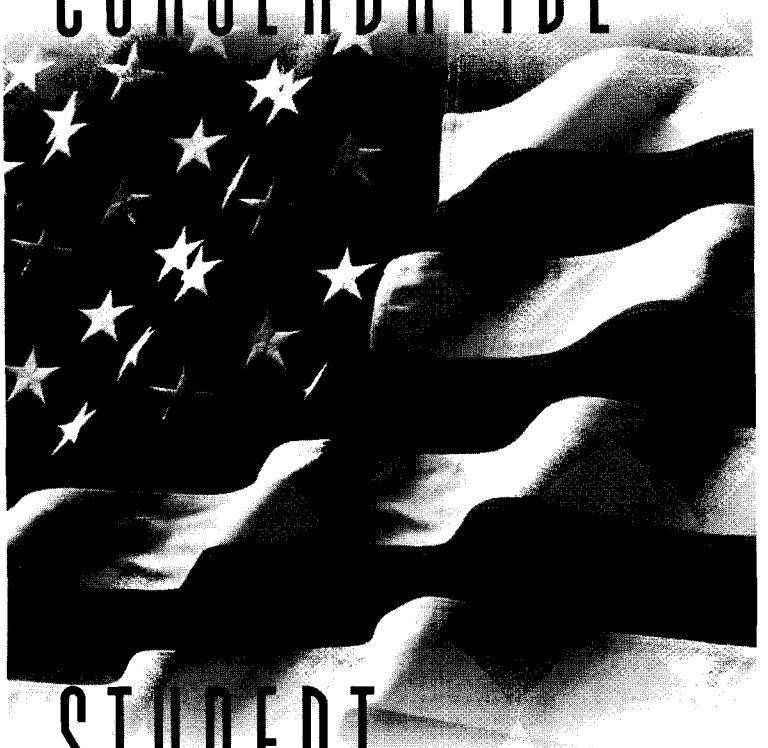

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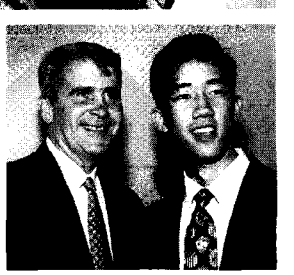

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Pick Your Poison

RAMESH PONNURU

HOW much legal trouble are the tobacco companies in? They're being sued by—an asbestos company. Yes, by a target of the *last* round of product-liability hysteria. Raymark Industries, Inc., argues that some of the plaintiffs to whom it paid $400 million were actually suffering from smoking, not from exposure to asbestos. The plaintiffs' bar taketh, and the plaintiffs' bar giveth back.

Perfect justice should not have been expected of the campaign against smoking—a campaign that aims to rescue addicts by forcing them to pay more for their enslavement, and to punish an industry for lies that deceived no one. In a just world, the anti-tobacco campaign would collapse of its own hypocrisies.

But perfect justice is not of this world, still less of Washington, D.C., and conservatives find themselves in the familiar position of having to choose among evils. Most of them have blasted the leading anti-smoking bill, that of Sen. John McCain (R., Ariz). They might yet find that the only thing worse than passing a tobacco bill is not passing one.

That's the argument Cardozo Law professor Lester Brickman and Hudson Institute policy entrepreneur Michael Horowitz have been making to Republicans on Capitol Hill. They say the tobacco industry is already bleeding into the water, the sharks are circling, and the wound was self-inflicted. Everyone else should paddle furiously away from the feast—and not look back.

The tobacco companies, after all, made a similarly cold-blooded calculation in agreeing in June 1997 to a national settlement of the state attorneys general's suits against them for Medicaid costs. By abandoning principle, the tobacco companies freed conservatives from having to defend them—but also made it politically impossible for conservatives to defend the principle without looking more Catholic than the pope.

In April, the industry felt compelled to walk out of negotiations over the McCain bill implementing the settlement. But by then, the political and legal terrain had already been lost. Maryland, for instance, had passed a law stipulating that in Medicaid cost-recovery cases, the legal defenses the industry had previously used successfully no longer applied. Surprisingly enough, the industry lost the next go-round.

It had better get used to it. Years of propaganda will almost certainly lead juries to turn on the tobacco companies. They have already had to agree to a $349-million settlement in a case involving airline stewardesses' dubious claims of damage from second-hand smoke.

The only people left with a soft spot for the industry are conservatives. Since the McCain-bill walkout, they have fallen back into the habit of assuming their interests coincide with its. But that is no longer the case. The industry cares about FDA regulatory authority, "lookback" provisions (don't ask), and other arcana. Conservatives should place a higher priority on keeping the political balance of power from shifting against them. For liberals, remember, tobacco legislation is a trifecta: it's an issue to use against conservatives in elections, it gives them new revenues to spend, and it funnels vast amounts of money to one of their key constituencies: the trial lawyers.

Conservatives can't really block any tax increase. President Clinton wouldn't sign a bill without a cigarette-tax hike, and without a bill the courts would start awarding huge damages. Cigarette prices would rise to reflect this "tort tax," which might be higher than a direct tax. So all conservatives can do is cut other taxes. If they accept draconian anti-tobacco measures, however, conservatives *can* prevent the political power of the trial lawyers from metastasizing.

The numbers here are staggering. Brickman, using conservative estimates of contingency fees, estimates that the McCain bill entails $1.2 to $1.8 billion in annual payments to a few hundred trial lawyers for their work on the Medicaid suits, and another $2.6 to $3.2 billion annually for fees in tort cases. That means the trial lawyers will have $400,000 to $500,000 a year to throw around on politics, if they spend just the interest. In 1996, campaigns for federal office cost around $3 billion *total*.

These fees "won't simply make a thousand lawyers multimillionaires," warns Brickman, "but will make ten lawyers billionaires and fifty lawyers centimillionaires. The problem is not that a thousand lawyers will buy Lear Jets but that they'll buy legislatures." And even more judges than they already own. They already know how to carve up an unpopular industry. "The tobacco litigation was underwritten by asbestos fees," says Brickman. "What will the tobacco fees underwrite?"

Conservatives have seized upon the fees as a popular argument against the McCain bill. But this argument, and the complaints about the precedents the bill sets, miss the point. The litigation has already set a precedent regardless of federal legislation. Without any bill, the fees will be more diffused but possibly even higher. That's why the Association of Trial Lawyers of America opposes a federal settlement. Say goodbye to tort reform, and hello to five Ford Foundations.

The alternative is to pass a bill that limits fees. The trial lawyers, of course, will scream bloody murder; they are already invoking the sanctity of contracts and free markets. Please. As libertarian legal writer Walter Olson notes, a fee cap in this case "is more like a cap on ransom payments to an airline hijacker than it is like an interference with a regular market transaction." And the trial lawyers agreed to dump the whole settlement in Congress's lap; it's hard to see why everything should be up for grabs except their fees.

The only people left with a soft spot for the tobacco industry are conservatives.

The deeper point is that lawyers are not businessmen and lawsuits are not free-market exchanges. The license to practice law is a deputized governmental power. That's why lawyers in every state of the union agree to charge fees that are "reasonable" or "not excessive." The anti-tobacco lawyers say their fees are reasonable given the risks they ran. But those risks diminished rapidly over the last three years: more and more incriminating documents were coming to

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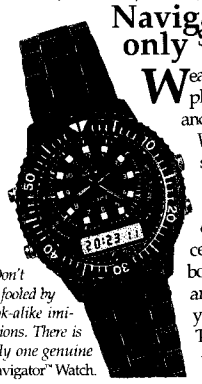

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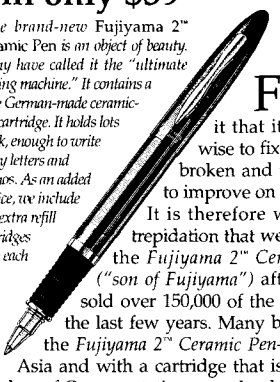

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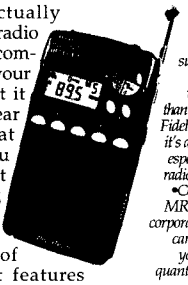

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light, and the lawyers representing the states often had advance knowledge that a national settlement was coming. And Maryland and Florida legislated away any remaining risks.

Brickman and Horowitz propose that the plaintiffs' lawyers get some multiple of the $500 per hour that the top tobacco lawyers made. But as it is now, the lawyers in Florida will probably be making around $25,000 an hour—and that's using liberal assumptions about how many hours they worked. Brickman estimates that in Texas, where he is an expert witness backing Gov. Bush's challenge to the lawyers' fees, the figure is about $92,000 an hour. "I think that that's unreasonable if the word reasonable has any existential reality."

Some senators are trying to add fee caps to the McCain bill. Sen. Lauch Faircloth (R., N.C.), who faces a tough trial-lawyer opponent this fall, had an amendment setting fees at $250 an hour—and lost, 58 to 39. He plans to keep offering amendments with higher caps until one sticks. That approach exasperates Brickman and Horowitz. "They can take it up to $3,500 for all I care," says Horowitz. "The shape of American politics is at stake, and they're talking about chump change. . . . The problem with this town is that most people don't know the difference between a million and a billion dollars." But Faircloth has to deal with conservative senators—and voters—who don't see $1,000 an hour as a bargain.

Sens. Jeff Sessions (R., Ala.) and Jim Jeffords (R., Vt.), meanwhile, are trying to bypass the courts altogether in future tobacco tort cases. The McCain bill sets up a fund of tobacco-company payments for these cases and includes provisions that would make most settlements more or less automatic. So rather than giving lawyers 30 to 40 per cent contingency fees for little work and less risk, Sessions and Jeffords would have the government administer a program to disburse the funds to the actual plaintiffs, and quickly.

President Clinton won't want to sign a bill with any limits on fees, but he'll look for a better excuse for a veto. Republicans shouldn't give him any. Abandoning the tobacco companies would allow Republicans to isolate the trial lawyers. Lobbyists for anti-smoking groups privately say that they don't really care what happens to the lawyers as long as they get a bill that makes C. Everett Koop and David Kessler happy.

As things stand, making them happy is the last thing conservatives intend to do. The Senate leadership is divided, with Trent Lott, Mitch McConnell, and Connie Mack eager to get the issue behind them and Don Nickles, Larry Craig, and Paul Coverdell determined to stand on principle against the bill. The anti-bill forces are enjoying some success now, but nobody seriously expects them to prevail in the Senate.

The House leadership, meanwhile, maintains that if it holds a floor vote at all, it will be on a bill that focuses on teen smoking and on drug use. But even some leadership aides say this position is unsustainable. A better guide to House sentiment is a little-noticed action by the Judiciary Committee a few weeks ago: it approved a bill *by unanimous consent* to prohibit the tobacco companies from declaring bankruptcy.

Something like the McCain bill, or worse, is likely to pass, with or without fee caps. The tobacco companies may as well try for the one-in-a-thousand chance that they can get a better bill. But why support them? Let Koop and Kessler have their Prohibition.

It might even prove educational. □

Obstruct Art

THOMAS GALVIN

OBSTRUCTION works. What other lesson could I draw after four years of covering President Clinton's scandal management? Clinton and his band of spinners have proved that you can stonewall all of the people all of the time.

The typical Clinton scandal runs like this: Sensational allegation, signs of a cover-up, pledges of cooperation, hysterical Republican reaction, savvy White House response, public disgust at the spectacle, a rise in Clinton's approval ratings, talk shows over-analyzing what it all means. The new China missile scandal is already fitting the pattern.

Sitting on President Clinton's train as it rumbled toward the Democratic Convention in July 1996, White House political guru Doug Sosnik couldn't have given a hoot about Whitewater or Paula Jones. After all, Americans didn't care. "If Richard Nixon were President today, he'd never be impeached," Sosnik smugly opined.

Nixon would certainly have benefitted from such ruthless—and effective—scandal management:

—When allegations of womanizing nearly sunk Clinton in 1992, he hired gumshoe Jack Palladino to shut up the allegers. It doesn't matter now that some of them (e.g., Gennifer Flowers) were telling the truth.

—White House aides smeared Billy Dale in order to deflect blame for the Travelgate mess. Who cares if it meant he faced an unwarranted criminal trial?

—Aides lied about what Clinton knew about a federal investigation of Whitewater in October 1993. That gave the President some breathing room.

—Lawyer Bob Bennett was directed to delay the Jones lawsuit until after Clinton was re-elected.

—Two weeks before the 1996 election Al Gore solemnly told a national TV audience there was no truth to allegations of sleazy fundraising.

Delay. Obfuscate. Obstruct. Attack. Lie. Win.

In the latest example, Clinton will string out the Lewinsky investigation until the fall, then claim that Ken Starr is pursuing the charges to help Republicans keep control of Congress. The fight over Clinton aides' testimony will be dragged out for as long as possible. Then, after the elections, White House toadies (yes, Sid Blumenthal, that's you) will whisper that impeachment proceedings are silly at this point because Clinton will soon be out of office.

GOP blundering is one of the reasons for Clinton's great escapes.

And the smart people who work at the White House will simply outplay the Republicans at this game.

In fact, GOP blundering is one of the reasons for Clinton's great escapes. Here's an example: When the White

Mr. Galvin is a former investigative reporter for the New York Daily News.

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House admitted it had collected FBI files on hundreds of Republicans, there were the makings of a big story. But instead of holding back, doing its own investigation, and letting the story develop, Orrin Hatch's Senate committee immediately held hearings, letting all the air out of the scandal balloon.

White House aides were also just better than most GOP investigators. Mark Fabiani and Chris Lehane, who had the job of keeping Whitewater from boiling over before the 1996 election, were smarter, more capable, and more credible than most of the Republicans on Clinton's tail.

Bob Giuffra was Al D'Amato's Whitewater counsel, and a smarmier guy you'll never meet. Mike Madigan, who led the Senate campaign-finance investigation, quickly alienated reporters with his cutesy way of implying wrongdoing without having the guts to declare it. If it came to trusting the word of Fabiani versus Giuffra, or White House aide Adam Goldberg versus Madigan, it was a no-brainer for reporters.

As a result, the White House aides' job just wasn't tough—and when it was they made the right decision. When Hillary Clinton's subpoenaed billing records from the Rose law firm suddenly popped up in the Clintons' private quarters, there was real panic. Some White House aides were stunned by Fabiani's advice: Do nothing.

There was talk of resignations (maybe even Leon Panetta's), but Fabiani won the day. This wound up being a turning point. The White House took its licks, but the public never started clamoring for a lynching, and the crisis subsided. The message was clear: The White House didn't have to try to explain everything.

About a year ago, Clinton aides gave the press the stiff arm when it sought the record of Webster Hubbell's entries into the White House. Why? It turned out there was a heck of a story there about Clinton friends' efforts to get Hubbell work while he was undergoing questioning by Ken Starr before his first indictment.

Clinton aides also have a ruthless willingness to destroy enemies, real or imagined. When David Watkins's "Hillary Did It" memo surfaced, pinning the Travel Office firings on the First Lady, White House staffers were prepared to come forward with new sexual-harassment allegations against Watkins as a pre-emptive strike. It was only when they realized Watkins wasn't going nuclear that they backed off.

Despite the ruthless tactics, ask your typical White House aide whether he believes Paula Jones, or Monica Lewinsky's story on the Linda Tripp tapes, or Kathleen Willey, and well, the voice trails off . . . and then the subject is quickly changed.

THE White House m.o. means Clinton goes through lawyers like air fresheners. They can only stick around so long before they start to stink. Bernie Nussbaum, Lloyd Cutler, Abner Mikva, Jack Quinn, and Charles Ruff—that's five counsels in just six years. And that doesn't include the damage-control lawyers like Fabiani, Lanny Davis, Jane Sherburne, and Lanny Breuer brought in just to handle Clinton's ethical messes.

The press plays right into the Administration's hands. Reporters now cover the White House like a football game. It doesn't matter if Mike McCurry won't answer basic questions. The press just writes about how well he ducks.

So the White House gets away with spin that is comical. Lanny Davis would deny on the record that White House coffees were fundraisers, then go off the record and lament that the White House would use them to raise money.

Carolyn Huber's explanation for how she misplaced the billing records is hilarious. She said she found them in August 1995 and they were so inconsequential that she plopped them into a box without a second thought. Six months later she realized they had been subpoenaed two years before.

But if the records were so inconsequential, how does she remember packing them in the first place? And if she can remember packing them, how come she didn't know that they had been subpoenaed by Ken Starr?

Clinton once promised to answer fully all the questions surrounding the Lewinsky scandal "sooner rather than later." Then his pollsters told him he didn't have to and his lawyers told him they didn't want him to, and he went into stonewall mode once again.

At a recent press conference, my ex–*Daily News* colleague Kathy Kiely asked Clinton whether he was prepared to have allegations hang over him for the rest of his Presidency. "Absolutely," he responded. And why not? It's only the country that suffers. □

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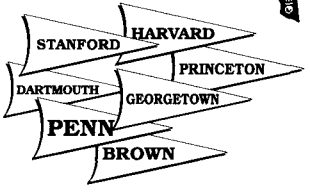

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HOUSE OF PAIN

Today's Armey

Has Dick Armey 'gone native'? Or is he just responding to the realities of managing a legislative majority?

JOHN J. MILLER

DICK Armey wore waders and stood waist deep in a Texas fishing pond on April 25, the night of the White House Correspondents Dinner. As the House Majority Leader reeled in 18 bass, President Clinton was wrapping up a well-received speech 1,200 miles away. Clinton couldn't resist making a few cracks about Congress generally, but he singled out only one member for abuse. "I met with Sen. John Glenn recently to decide who should be the next distinguished member of Congress hurled into the far reaches of the universe. And we have our man," said Clinton, pausing for a moment. "Godspeed, Dick Armey." It was one of his biggest laugh lines of the evening.

Dick Armey gets under people's skin. Since his election to the House of Representatives 14 years ago, he has gone from sleeping on the floor of his office as a freshman to commanding the House floor as Majority Leader. In that time, he has become one of the liberals' most-despised conservatives. His aggressive pursuit of lower taxes and spending, combined with his steadfast opposition to government-run health care and minimum-wage hikes, has made him a stock villain in Democratic stump speeches. Remember that complicated schematic of the Clinton health-care plan—the one that became a widely reproduced poster against big government? It came out of Armey's office.

Armey may be hated by liberals, but, these days, that does not necessarily mean he is loved by conservatives. Conservatives who supported his rise into the House Republican leadership now wonder whether their man has gone native in a culture of compromise. His fiercely disputed role in last summer's failed coup against Newt Gingrich hurt, perhaps irreparably, his reputation as an honest broker. If Armey wants to take the logical step up the leadership ladder and succeed Gingrich as Speaker, he will have a tough fight on his hands; Appropriations Committee Chairman Bob Livingston—no doubt sensing Armey's weakness—is already running a very public campaign for the job. Armey's rise through the ranks was meteoric, but many now ask whether he has peaked—or, indeed, whether he has reached the level of his incompetence.

Dick Armey by Roman Genn

Armey's fate since 1994 is the perfect illustration of how majority status has been a mixed blessing for conservatives. No other movement conservative has ever risen so high in the House leadership as Armey; hence right-wingers' disappointments with the Republican Congress's inaction are most sharply focused on him. Conservatives understand that Gingrich will occasionally sell them out; they hold Armey to a higher standard. Now the one-time rabble-rouser often has to explain away the Washington status quo and finds himself criticized by many of his eager successors on the Republican back bench. In recent months, he has tried to reignite his old ideological fire. Whether he can do so and still perform his job as GOP leader may determine the future trajectory not only of his career, but also of a Republican Congress that currently seems determined to do little but enjoy its incumbency.

The 57-year-old Majority Leader is not an obvious politician, which gives him a certain charm but can also be a drawback. Armey is far removed from the fraternity of late-night cardplayers who meet nearly every evening when the House is in session. He prefers to spend evenings at home with his wife, and sometimes even forgets the names of his fellow members. He has a sharp sense of humor, but many people find him brusque. "I would not say interpersonal skills are one of his strengths," says one colleague. Armey can be surprisingly short on the phone—he often skips the greeting and jumps right to "Are you with me?" If a phone conversation lasts for more than a minute or two, he is likely to spin around in his desk chair and play solitaire on the computer. He prefers three-card draw.

A physically imposing man, Armey nonetheless fails to come across well on TV or, sometimes, at the podium. A tendency to slur his speech, combined with Dean Martin looks, have given some observers the wrong impression (in fact, Armey is almost a teetotaler). He certainly won't win any snazzy-dresser awards. His staff toiled for years to expand his repertoire

Mr. Miller is NR*'s national political reporter and the author of* The Unmaking of Americans *(Free Press).*

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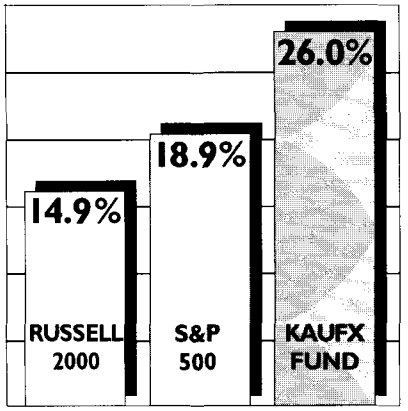

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of ties beyond the standard Adam Smith number. And it was only about nine months ago that they finally persuaded him to purchase a tuxedo. Before then, he would show up at black-tie functions wearing an ordinary business suit and looking as if he had come to the wrong place. "In the TV age, sometimes it's better to be slick than good," says one House Republican. "He's good."

Armey's background is a campaign biographer's dream: Born in Cando, N.D. (yes, it's really pronounced *Can do!*), Armey was the first in his family to go to college. He eventually earned a PhD in economics, becoming a professor at North Texas State University in 1972. He ran unopposed for the GOP nomination in his congressional district in 1984—nobody else thought a Republican could take the seat—and went on to knock off the Democratic incumbent, Rep. Tom Vandergriff, by two percentage points.

Many Republicans are willing to cut Armey some slack, but almost everybody seems to have a beef with him.

In Congress, Armey quickly earned a reputation for advancing difficult issues through legislative creativity and hard work. One of his first efforts was shutting down obsolete military bases. No matter how much sense closing selected bases may make, it also represents an attack on a kind of pork-barrel spending loved by both liberals and conservatives. Armey came up with a successful formula. He proposed having a commission draw up a list of bases for closure and requiring Congress to accept or reject the list in its entirety—no amendments. This idea turned the politically impossible into a practical reality. Since 1988, 97 major installations have been closed or been slated for closure, with an anticipated savings of $14 billion by 2002.

In 1991, Armey took a seat on the Joint Economic Committee, a bipartisan, bicameral committee which at that time issued occasional reports reflecting the biases of its ruling Democrats. For years Republicans on the JEC had been largely prevented from writing reports or holding hearings. "The attitude was, 'You're here by our sufferance,'" says one veteran staffer. "Armey changed all that." He turned the JEC into effectively a Republican think tank, frequently issuing minority reports. Instead of submitting these to the slow-moving Government Printing Office, as the Democrats did, he took advantage of desktop publishing to make his products timely. "The JEC actually became more useful to the Republicans than to the Democrats," says the aide.

More recent events have made Armey's time on the JEC look like the good old days. As Majority Leader, he has had to focus more on procedure than on policy, a shift that set him up for some measure of unpopularity. When a member's pet bill can't make it to the floor, Armey has to deliver the news. "The Majority Leader's job is to be the bad cop," says Rep. Joe Barton (R., Tex.). The post also requires Armey to trim his sails. He no longer represents only his conservative north Dallas district; he now represents every Republican in the House, including its most liberal members. "Keeping everybody in line is like herding cats," says Rep. Christopher Cox (R., Calif.). Armey knows the difficulties: "I restrain myself ideologically, but I've got to make sure Republicans get elected from upstate New York," he says. "It's hard for people to understand that."

Many Republicans are willing to cut Armey some slack, but almost everybody seems to have a beef with him. Much of the bad feeling stems from his disputed role in last year's abortive coup against Gingrich. According to some accounts, Armey was one of the principal plotters until it became clear that he wasn't going to get Gingrich's job, at which point he ratted on his fellow conspirators. Armey denies this version of events, but has not given a detailed version of his own. The fact remains that he tied himself closely to Gingrich soon after the story broke, embittered many House sophomores in the process, and lost the trust of his fellow Texan and one-time friend Majority Whip Tom DeLay. His relations with DeLay and other Republicans have since improved, but Gingrich relies on Armey less than he once did, and members of the fractured leadership now often act without consulting one another.

Critics also point to substantive problems with Armey's record. He supported the 1997 budget agreement, which longtime allies say he never would have done before moving into the leadership. He even worked hard to sell the plan to conservatives. Was this the same man who courageously opposed President Bush's promise-breaking 1990 budget deal? Civil-rights reformers blame Armey for blocking a bill last fall that would have barred racial preferences at the federal level. Shortly before an important Judiciary Committee vote, he warned his Republican colleagues that passing the bill probably would do more to infuriate Democratic voters than motivate Republican ones. He didn't issue any direct orders, but four Republicans soon defected, delivering a surprise defeat in committee to a bill that had seemed sure to make it to the House floor.

Others worry that Armey is spread too thin. At an April press briefing in the Capitol, a reporter asked Armey why he opposed a floor vote on campaign-finance legislation. The Majority Leader couldn't think of anything to say, and ultimately refused to answer. He looked ill-informed.

Detractors also mention Armey's style. "When Reagan's people had to sell out, at least we got a phone call explaining that it was done for political purposes," says one think-tanker. "With Armey, we get a phone call trying to sell us on the sellout." Asked whether the pork-laden highway bill represents big government, Armey replies: "Conservatives should not be disappointed in the highway bill." He then cites Adam Smith on the importance of infrastructure spending. "At least it's not income redistribution," he adds.

ARMEY occasionally worries that Republican voters won't turn out in November, but he still hopes the party can pick up at least seven seats. He plans to reignite the GOP base with battles over tax relief, education savings accounts, anti-ballistic-missile defense, and partial-birth abortion. It's a small-bore agenda, aiming to avoid both the stark confrontation with the White House of 1994–95 and the abject accommodation of 1996–97.

Armey is also doing some personal retooling. He has expanded his interests beyond his libertarianism of years past, especially in the direction of religious faith.

Armey recently condemned Clinton in stark moral terms he wouldn't have

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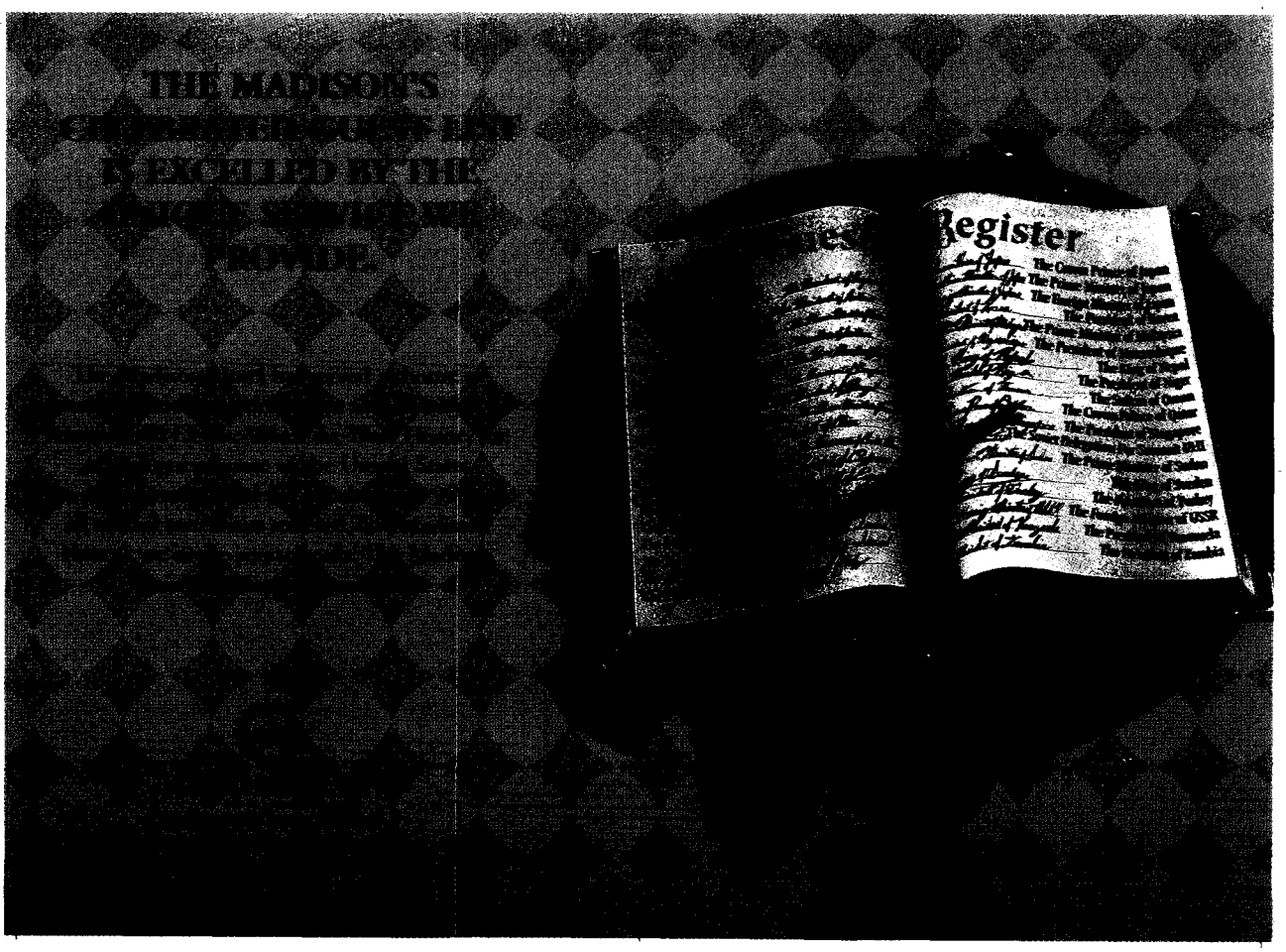
used just five years ago. At that time he was basically an economist with no firm religious beliefs. He had grown up in a churchgoing home, but by the early 1990s had stopped attending. On July 16, 1995, he went to an evangelical service at the Lewisville Bible Church in his district. The sermon changed his life. It focused on the nature of faith, and why the ways of God cannot be understood by man. The next morning, Armey was planning to fly back to Washington, when he received a phone call from an aide telling him without explanation to get on a plane to New York City—"one of the places in the world I really, truly do not want to go," Armey says. He got on the plane.

During the flight, he recalled the previous day's sermon. "Why would I get on a plane and go to New York except that I had invested my faith in mere mortals?" he asks. This led him to start thinking about religious faith. "I didn't understand faith because all along I had been counting on my own intellect to help me understand things," says Armey. "I had to get over myself." He now prays every morning with his wife, and his conversations and speeches are peppered with references to Scripture. That this is clearly a matter of personal conviction and not of political calculation makes it all the more compelling.

Meanwhile, in highlighting differences between the Republicans and the Democrats, Armey is again doing what he used to do best and showing why many conservatives have remained deeply loyal to him despite the recent letdowns. His tour around the country with Rep. Billy Tauzin (R., La.) debating the merits of the flat tax (Armey's idea) versus a national sales tax has drawn large, enthusiastic crowds. In April, the House passed a bill providing two thousand private-school scholarships to low-income children in the District of Columbia, forcing President Clinton into a veto that pits the White House against poor kids and their parents. Armey personally oversaw the House debate on this subject and worked the phones relentlessly to win a narrow victory. He also led efforts to hold up $18 billion the Administration had requested for the International Monetary Fund and to ban support of international organizations that lobby in favor of abortion. For Armey it all may amount to something of a comeback, although in circumstances more difficult than he could have imagined in 1994.

As a professor in the late 1970s, Armey wrote a microeconomics textbook called *Price-Theory: A Policy-Welfare Approach*. "There is a school of thought that says each person controls his own destiny," he wrote. "On the other hand, there is a school that claims just the contrary—that the individual is so dominated by institutions that he has, in effect, no choice over his behavior." Then, Armey the free-marketeer emphasized that "*we do have a choice*." Now, after almost four years as Majority Leader, trying to balance principles with his institutional obligations, often buffeted by forces that limit his maneuvering room, Armey may still agree with his previous assessment—but no one could blame him for finding the world a little more complicated than he had once thought. As he recently remarked concerning an anticipated IMF bill: "All too often I wish I could vote maybe." □



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Passage to India

The U.S. should consider the Indian nuclear tests as the muscle-flexing of a potential ally.

MARTIN SIEFF

INDIA's detonation of five nuclear devices has predictably set off other explosions, and not just in Pakistan. Official Washington has exploded with outrage and alarm. This reaction was predictable, both because of Washington's arms-control fetish and because of its misunderstandings of India. It is unfortunate because the United States seems to be about to blow the brightest strategic opportunity to have dropped into its lap in thirty years.

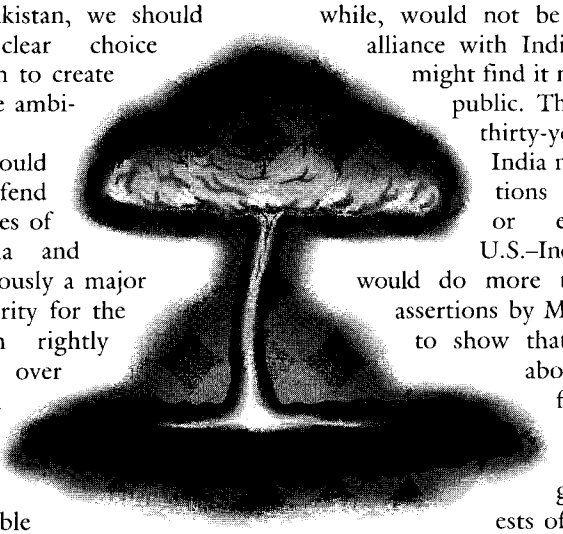
The last such opportunity came in the early 1970s, when China emerged as a counterbalance to Russia in Asia. Fortunately for the cause of freedom and American national interests around the world, we had a President of genuine global vision and a national security advisor of rare genius in Richard Nixon and Henry Kissinger. If they had not made their opening to China, it is doubtful that a United States reeling from the bitter domestic divisions brought on by Vietnam could have held the Soviet Union at bay until economic and political tides started to turn in the 1980s.

Now it is China to which we need a counterweight. India could play that role, and also aid us in the Persian Gulf. All we lack is a Nixon or Kissinger to see it.

India is forced by its own geopolitical circumstances to oppose China. Indeed, its detonations were in large part a way of serving notice that it will no longer be cowed by China's nuclear superiority. This is not a bad thing from an American point of view, considering that China's leaders have openly threatened to nuke Los Angeles.

As Reagan administration official Paul Wolfowitz has argued, the containment of China in the first half of the twenty-first century might well prove as difficult as the containment of Imperial and then Nazi Germany did in the first half of this century. China's gravitational pull will over the next few decades increasingly draw South Korea, Japan, Indonesia, Vietnam, and even Taiwan into its orbit—unless India and the U.S. build a strong working military relationship. In that case, countries in the region would naturally gravitate toward the U.S.–India axis as the best guarantee of their continued freedom and security.

A relationship with India along the lines of the one Nixon and Kissinger forged with China would also do more to avert either conventional or nuclear war on the subcontinent than pious exhortations to sign arms-control treaties. An India that looked upon Washington as its protector against China would be far more likely to heed American calls of restraint. In Pakistan, too, where U.S. influence has been declining, our calls for compromise would have more force if our support could no longer be taken for granted. While India is more strategically valuable than Pakistan, we should avoid a clear choice between them to create a constructive ambiguity.



India could also help defend the oil reserves of Saudi Arabia and Kuwait, obviously a major strategic priority for the U.S., which rightly went to war over the issue. In 1991 the Gulf War operation was possible only because the Saudi leadership courageously allowed the United States to mount on its territory a larger military build-up than that required by the Vietnam War. The erosion of U.S. prestige in the Middle East since then makes a repeat of such favorable circumstances highly unlikely.

Our current policies have set us on repeated collision courses with both Iran and Iraq, which threaten our oil supplies. So the United States may be forced to face the prospect of taking on Iran, Iraq, or both, with Saudi Arabia neutral. Worse, Russia and China, which openly and proudly reached a strategic accord last year, might lend our enemies at least tacit support.

This is especially troubling because the Persian Gulf is literally half a world away from the United States. Our loyal major allies nearest there are Japan and Australia, and neither of these has a naval reach remotely capable of supporting U.S. operations in the Persian Gulf or the Indian Ocean. To fight from bases in Japan and Australia would be like fighting in the European Theater of Operations in 1944–45 not from the United Kingdom, but directly from the Eastern Seaboard of the United States.

India is a lot closer. In both world wars, Britain was able to secure the crucial oil wealth of Mesopotamia and Kuwait, not to mention Iran, only because it could deploy very large and entirely reliable Indian forces in the Gulf. Now, India shares our interest in secure and cheap oil supplies, in addition to having an interest of its own in preventing Pakistan's natural allies in the world of radical Islam from amassing too much power.

Our moderate Arab friends, meanwhile, would not be alienated by an alliance with India, whatever they might find it necessary to say in public. The Soviet Union's thirty-year alliance with India never hurt its relations with Syria, Iraq, or even Iran. A U.S.–Indian alliance would do more than a thousand assertions by Madeleine Albright to show that we are serious about defending our friends in the Middle East.

So, the biggest geopolitical interests of Washington and New Delhi coincide. An alliance would also be more morally comfortable than the previous one with China. India is a democracy—the world's largest—and it has successfully functioned as one for decades. It has freedom of the press and a strong, vibrant legal system based on English Common Law.

Mr. Sieff is a reporter for the Washington Times.

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But an alliance is not in the offing because of three American blind spots regarding India: one liberal, one conservative, one bipartisan.

The Clinton Administration's reaction to the nuclear tests typifies the liberal approach to India. True, American non-proliferation laws leave the President with no choice but to impose economic sanctions. But the Administration's moral lectures to India's new nationalist Bharatiya Janata Party government are a product of its own theological obsession with non-proliferation and arms control.

There is also the matter of American liberals' wounded pride. In their eyes, India is now completing the metamorphosis that Israel went through in the decade between its victory in the Six-Day War and the election of its first nationalist Likud government under Menachem Begin in 1977. In both cases, a nation which they had romantically idealized as somehow beyond the carnal, power-and-interest concerns of international relations has abandoned its duty to be purer than anyone else. Of course, the governments of both nations had in actual practice been anything but pure and high-minded, but they knew the value of presenting themselves in that light. What made matters worse for liberals is that both regimes were replaced by unsophisticated, loud types who were popular among coarse, unrefined mobs. Indian Prime Minister Atal Bihari Vajpayee, like the late Mr. Begin, is not someone whom most sophisticates would care to have at their dinner tables.

Our moderate Arab friends, meanwhile, would not be alienated by an alliance with India.

So it should not be surprising that Secretary of State Madeleine Albright has not said a word defending or even expressing understanding of India's actions. Some American conservatives share the Administration's outrage.

Conservatives have often bought into arms-control theologies more than they may consciously realize. They also

You deserve a factual look at...

"The Arabs of Israel"

Are they a "persecuted minority?"

The world is much focused on the developments in Judea/Samaria (the "West Bank") and the Gaza Strip, in which, for the most part, Israel has relinquished sovereignty and authority to the Palestinian Authority (P.A.). Ninety-eight percent of the Arabs in these territories live now under the rule of the P.A. There is some question whether or not they are better off than before. But many believe that Arabs in Israel itself are a "persecuted minority."

What are the facts?

Israel is a Democratic Country. Israel is an open, pluralistic, and egalitarian society. Different religions, cultures, and social traditions coexist. Protection of such diversity is embedded in Israel's traditions and confirmed by the government. About 20% of the population (over one million people) are non-Jews, most of them Arabs, and some Druze. Like all other Israeli citizens, they have full rights to vote and to hold elective office. Both Arabs and Druze hold seats in the Knesset, the Israeli parliament. Every Knesset, since the founding of the State in 1948, has had Arab and Druze members. All transactions in the Knesset are simultaneously translated into Arabic, and Arab members may address the Knesset in Arabic.

"Contrary to propaganda...the Arabs in Israel enjoy every civil right and have the same status under law as Jewish Israelis."

It is official policy of the Israeli government to foster the language, culture, and traditions of the Arab minority, in the educational system and in daily life. Arabic is an official language in Israel, together with Hebrew. Israel's Arabic press is the most vibrant and independent of any country in the region. There are more than 20 Arabic periodicals. They publish what they please, subject only to the same military censorship as Jewish publications. There are daily TV and radio programs in Arabic. Arabic is taught in Jewish secondary schools. Israeli universities are renowned centers of learning in the history and literature of the Arab Middle East.

Education and literacy of the Arab population in Israel is as high as and probably higher than in any Arab country. The literacy rate among Israeli Arabs is 95%, virtually the same as for Israeli Jews. There are close to 1,000 Arab educational institutions in Israel, with about 300,000 students—just about 25 times as many as in 1948, when the State of Israel was created. Ninety percent of Arab children attend school, probably the highest ratio of any Arab population anywhere. Israeli universities and technical institutions are freely available to the Arabs. About 5,000 Arab students attend such schools.

Israeli Arabs Enjoy Full Equality in Law and in Fact. All religious communities in Israel enjoy the full protection of the State. Israeli Arabs—Moslems, as well as many Christian denominations—are free to exercise their faiths, to observe their own weekly day of rest and holidays, and to administer their own internal affairs. Each community has its own religious councils and courts, and has full jurisdiction over religious affairs, including matters of personal status, such as marriage and divorce. The holy sites of all religions are administered by their own authorities and protected by the government. In contrast to the non-Israeli Arab world, Arab women in Israel enjoy the same status as men. Israeli law grants women equal rights, including the right to vote and to be elected to public office, prohibits polygamy, child marriage, and the barbarity of female sexual mutilation. It has thus vastly changed the status of women, to far above that of any country in the region. Israeli health standards are by far the highest in the Middle East. Israeli health institutions are freely open to all Arabs, on the same basis as they are to Jews.

There is, however, one difference between the "rights" of Arabs and Jews in Israel. Israeli and Druze men are required to do three years of military service and then serve one month every year until they are 50. Arabs are exempted from military duty and are not required to perform any compensating civilian service. Since the surrounding Arab states, with the exceptions of Egypt and recently of Jordan, are the avowed enemies of Israel and are dedicated to its destruction, this exemption is granted by the Israeli government to its Arab citizens, so as to spare them conflicts of loyalty and conscience.

Contrary to propaganda and to what many believe, the Arabs in Israel are full-fledged citizens, enjoy every civil right, and have the same status in law as Jewish Israelis. In summary, they enjoy the highest standards of living and liberty of any Arabs in the Middle East. It is instructive and sobering to compare the condition of the approximately one million Arabs in Israel with that of the pitiful remnants of Jewry in Arab countries. Jews have been living in Arab countries for almost 2,000 years. Under Arab dominance, they were always third-class citizens and subject to harassment and persecution. There were about 900,000 Jews in Arab countries in 1946—now there are fewer than 25,000. But there are now over one million Arabs in Israel, as against 150,000 in 1948—an almost seven-fold increase. These figures alone would seem to prove that things can't be all that bad for Arabs in Israel.

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St. Kitts is stunning. Powdery white sand beaches galore. Lush rain forests. And *beaucoup de* history—the British and the French fought over St. Kitts endlessly (and tenaciously: the 17th-century citadel atop Brimstone Hill is better known as the "Gibraltar of the West Indies").

Martinique's beautiful capital of Fort-de-France exudes an exotic blend of French and Creole cultures. Its narrow streets are lined with pastel-colored buildings (and wrought-iron balconies that will remind you of New Orleans). Head north to explore the ruins of St-Pierre, better known as Martinique's Pompeii (it was the island's premier city until 1902, when it was annihilated by Mont Pelée!). *Snorkelez-vous?* If so, don't miss the famous beach of Anse-Mitan.

Trinidad is the birthplace of steel bands and calypso. Walk down Port-of-Spain's Frederick Street and revel in the sounds and smells of this beautiful capital city. Parliament, the Royal Botanical Gardens, Emperor Valley Zoo, Queen's Park Savannah—there's so much to do and enjoy here. Head out of town to visit Gasparée Caves, Maracas Waterfall, Caroni Bird Sanctuary, the bizarre Pitch Lake, and Maracas Bay—Trinidad's most popular beach. Bring your camera and plenty of film!

Dominica is a tiny paradise. Take one of the many available hiking tours and prepare to be overwhelmed by the incredible sights (FYI: If you're a bird-watcher, this is Nirvana). Attention divers: Dominica's undersea world is teeming with gorgeous coral-laden reefs and sponge stands. Soufrière Bay, on Dominica's southern end, sits in the crater of a prehistoric volcano. You get the (pretty) picture.

St. Thomas offers a vast array of wonderful tours and excursions. Charlotte Amalie is a must for duty-free shopping. History buffs will want to climb the famous "99 Steps" to visit Blackbeard's Castle. There's an endless number of places where you can snorkel or scuba dive. And there are beaches, beaches, and more beaches.

Speaking of beaches, **Half Moon Cay**—Holland America's private Bahamian island—is a gem. The powdery white, crescent-shaped seashore is long and home to water so blue it's breathtaking. Stand still for a moment and an HAL staffer will approach you, bearing a lounge chair, and ready to take your drink order. Read a book. Soak up the sun. Let the waves lap at your feet. Sip a fruity concoction. Listen to the steel-drum band serenade you. It doesn't get much better than this.

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your camera), and meeting new friends and greeting old friends.

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Some background: When we moved our offices last year, we found a few boxes (mistakenly hidden in a storage closet) containing these beauts: each one bound in beautiful, deep-red leather, and featuring gilt-edged pages, a sewn-in purple bookmark, and a gold-embossed cover. The book comes in a rather ingenious encasement with a special drawer which contains both an *Atlantic High* jacket cover and, more importantly, a page from WFB's original manuscript, personally autographed by Bill and featuring his actual editorial markings (done with his trademark red ball-point pen). Naturally, the page is enclosed in and protected by a clear plastic slipcase.

Some 15 years ago these special editions sold for $350! Hundreds were bought, and we thought they were sold out. Then came our little office-move discovery. Anyway, be among the first 100 couples or "solo" travelers to sign up for the cruise and one of the *Atlantic High* special editions will be yours (there's none left after that, and we've already sold some 40 cabins, so don't delay!).

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have their own stereotypes about India. India for them was the land of maharishis and yoga, a place for stoned hippies to wander around—and for sensible conservatives to ignore when its diplomats routinely castigated American activities in Vietnam in the 1960s.

The last obstacle to a U.S.–India alliance? *Everyone* in Washington ignores India. Washington is routinely obsessed by nations that should rationally be dismissed as tiny and obscure—think of the endless Irish troubles—while there are major nations of immense population and wealth that never inspire a policy conference or even an article. France's very real importance for the world goes unnoticed in Washington.

India has fallen into this black hole of perception. Americans do not know about India's impressive twentieth-century military and strategic record. They do not know that the greatest defeat inflicted on Japanese warriors in 2,600 years came not at the hands of MacArthur in the Philippines, but in 1944 at Kohima and Imphal when British-led but predominantly Indian troops smashed Japanese land forces in Southeast Asia.

One can almost understand why India's leaders might regard nuclear detonations as the only way to get attention and win a place among the nations—especially now that Russia, India's ally of the past thirty years, is making no secret of its higher regard for China. India right now would almost certainly be receptive to American courtship.

But this great opportunity will probably be missed by our current policymakers. Liberal activists and arms-control advocates will continue to fulminate. Sanctions will be imposed. It seems that even Senate Republicans will continue to be distracted. And the chance to secure an enormously important ally will be forever lost. □

Protection Racket

The Right's favorite campaign reform idea sounds too good to be true. It is.

MICHAEL W. LYNCH

LAST Tuesday, Californians defeated the Right's political move of the year: Proposition 226, the "paycheck protection" initiative, to require unions to ask each member's permission annually before collecting the portion of dues dedicated to political activity. But the issue is not limited to California. Grover Norquist's Americans for Tax Reform is spearheading an effort to implement paycheck protection in more than twenty states. Laws have already passed in Washington, Michigan, Idaho, and Wyoming, and initiatives are ready to go in Nevada, Oregon, and Colorado.

There is a partisan aspect to the campaign: the GOP understandably wants to avoid a reprise of labor's $100-million Republican-eradication campaign in 1996. Supporters also invoke high principle: no one should be forced to pay for the propagation of political ideas he finds offensive. The problem is that "paycheck protection" does little to secure this principle. It seems likely to deliver less than backers claim but more than they should want.

In the first place, these laws can regulate only a small portion of private sector union dues spent on political and ideological activity, and unions have a strong financial incentive to avoid even these regulations. Both deficiencies are on display in Washington State, which is hailed by backers of paycheck protection. In 1992, voters there passed a sprawling campaign-finance-reform initiative that contained two paragraphs requiring unions to receive annual permission from members before spending their mandatory payroll deductions on politics.

At that time, the Washington Education Association maintained a PAC, funded with a $13 annual contribution from 49,000 members who had given their consent at some point. In response to the law, WEA renamed its PAC a "Community Outreach Program" and funded it with a $1-per-month payroll deduction—this time mandatory for all 65,000 members. In addition, it created a new political organization, WEA-PAC, funded voluntarily. Only 11,000 of the WEA members ponied up another dollar a month for this particular fund. Although this drop is widely cited as an example of the effectiveness of paycheck protection, taking both funds together, the union raked in 55 per cent *more* than it did before.

The Community Outreach money could no longer be spent directly on politics, but the WEA solved this problem by funneling a portion of it to the new WEA-PAC (through overhead reimbursements and a forgivable loan). Some teachers and the Evergreen Freedom Foundation, a state-based conservative think tank, brought these shenanigans to the attention of Washington State's campaign-finance regulators. In the resulting settlement, the WEA, though accused of laundering $319,000, was fined only $100,000. The teachers, who pay on average $650 in annual dues to local, state, and national unions, will get only a one-time $5 reduction in their mandatory COP dues.

Worse, new guidelines issued after the settlement allow unions to spend "general treasury funds [on] contributions to candidates and political committees" including WEA-PAC. "These guidelines are not administrative rules, they are get-out-of-jail-free cards," complains EFF president Bob Williams, who plans legal action. Cindy Omlin, a former member of the WEA who fought its political activity, says the voter initiative "has been castrated."

These laws can regulate only a small portion of private sector union dues.

Another question nags: Even if the ruling against the WEA had had teeth, would it have made much difference? While the WEA was winding its way around the law—tapping its coffers to

Michael W. Lynch is Washington editor of Reason *magazine.*

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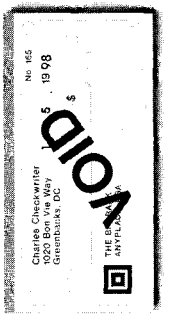
defeat charter-school and school-choice initiatives—the state's other union PACs were hardly hurting for money. In 1992, before paycheck protection went into effect, union PACs raised $3.3 million. In the 1994 election cycle, in which the law was fully operative, they raised $3.4 million. In 1996, the bounty jumped to $4 million. "It has had no visible effect" on union involvement in politics, says Brett Bader, a longtime Republican campaign consultant in the state. John Carlson, a Republican activist and syndicated columnist, concurs: "I don't see much of a change."



The authors of California's Proposition 226, learning from Washington's mistakes, included a clause prohibiting unions from increasing the dues of individuals who refuse to pay for politics. And unlike Washington's law, 226 covers union expenditures as well as member donations, which means national unions won't be able to fill any funding gap. But there is still a larger problem that no amount of clever wording can address. Due to Supreme Court decisions and Federal Labor Law, state-based paycheck protection can regulate only some political spending at the state level. It can't regulate spending in federal elections, which is governed by the FEC, nor can it restrict spending on member education through newsletters. And issue-advocacy ads that aren't coordinated with specific campaigns—the very ads that so vexed Republican congressional candidates in 1996—are protected under the First Amendment.

This severely restricts the amount of "protection" these initiatives offer anyone's paycheck. The amount of money at stake in Washington State was $13 per year. A Heritage Foundation study praising Prop. 226 says that California's two million union members can each expect to keep approximately $18 a year, out of total dues averaging $400.

This is exactly what is taking place in Michigan. In 1994, according to data compiled by the Michigan Chamber of Commerce, the state's top ten labor PACs raised just over $4.3 million, including $2.6 million from teachers. After a form of paycheck protection went into effect in 1997, labor PAC funds fell substantially. The Michigan Education Association's PAC, for example, raised just $140,288 from January 1 through October 20 of 1997.

"The results were dramatic, at least in terms of dollars," states Robert S. LaBrant, the Chamber of Commerce's Vice President for Political Affairs. "That's the good news. The bad news is that those union treasuries still contain exactly the same amount of money." No one got a reduction in dues after the law passed. Says LaBrant, "Unless we attack the [entire] non-collective-bargaining portion of the union's budget, those dollars will just flow into issue advocacy."

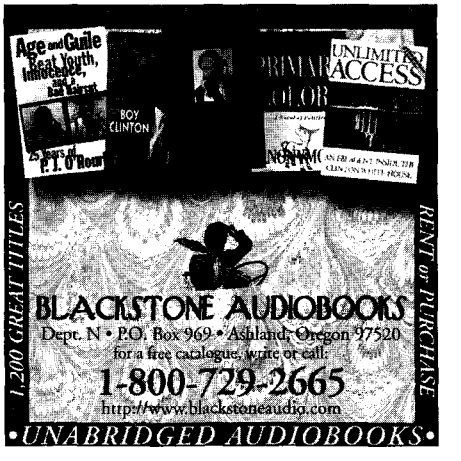
That's the difference between paycheck protection and implementation of the 1988 U.S. Supreme Court decision *Communications Workers v. Beck*, with which it is often confused. Under *Beck* and other decisions, individuals in union shops have the right to resign from the union and (so that they cannot get a free ride on others' contributions) pay only the portion of dues dedicated to bargaining. An individual can typically expect to get one-third of his dues back. Both in California and in Washington State, for example, teachers can at any time quit their unions and keep roughly $200 out of the $600 to $650 they are assessed in dues. According to the National Right to Work Foundation, which negotiated these settlements, about 5 per cent of eligible teachers exercise this option.

This distinction is key: Under *Beck*, an individual can quit the union and receive a refund of all his dues not spent on collective bargaining. Under paycheck protection, an individual can stay in the union and receive a refund on those dues used for political activity narrowly defined. This is important not only practically, but also philosophically.

The philosophical question is, What kind of organizations should unions be in a free society: voluntary groups that pursue the common interests of their members, or creatures of the state that enjoy special legal privileges but are highly regulated in return? Right now they occupy a halfway house: pursuing big-government interests like many other groups, but uniquely enjoying certain legal privileges. Individuals must often join a union as a condition of employment. In a meaningful sense, the law gives them no choice.

This is the central injustice which the Supreme Court sought to address in *Beck*. Admittedly, the *Beck* solution has never been properly implemented. Neither President Reagan nor President Bush ever made enforcing it a priority. And one of Bill Clinton's first acts as President was to rescind a Bush executive order instructing the Labor Department to notify workers of their *Beck* rights. As a result, polls show, few workers are aware of them.

But policymakers can address this issue in one of two ways. They can either strip unions of special privileges, in which case they would be like the NRA or AARP, groups that cannot coerce membership but whose policies and fee structures are no business of politicians or ballot initiatives. Or they can leave



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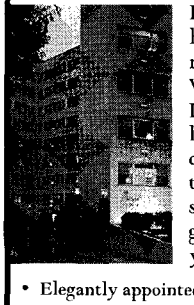

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these privileges in place and then attempt to meddle in unions' internal affairs. Paycheck protection takes the latter route.

Rep. Harris Fawell (R., Ill.), sponsor of a federal paycheck-protection bill, seems to understand the choices. He scolded union representatives in a March 1997 hearing: "It would be much easier to, say, Get rid of any law that would mandate that some third party has the right to be able to divert the wages of the working man. That is what the right-to-work people are talking about here. You are going to make them look good." Indeed. □

Dartmouth Reviewed

After a decade of discontent, Dartmouth President James Freedman is gone. He will not be missed.

JEFFREY HART

JAMES Oliver Freedman, now stepping down after 11 years as president of Dartmouth, possesses great interest—not as a scholar but as a specimen. He has manufactured himself as the distilled essence of contemporary academic liberalism.

Naturally, he proclaims himself a feminist and a multiculturalist, and he is loud in his advocacy of racial preferences and special rights for gays. Whereas the civilized liberalism of Matthew Arnold sought centrality, Mr. Freedman seeks iconic "victims" and marginality; whereas Arnold looked to the best that has been thought and said, Mr. Freedman fears that a student required to read a play by Shakespeare would thereby miss out on a "gem" like Toni Morrison—correct, if you believe that a student can read only one book.

Mr. Freedman is Jewish, and he makes conspicuous use of that fact when he can exploit it politically, although his relationship to Judaism is tenuous. He himself has defined his Judaism as devotion to "idealism" and to "scholarship"—which does not distinguish him from a Hindu or Muslim scholar, let alone from Erasmus or Hooker. The Mosaic idea of the Law grounded in the very nature of the Creation, the Law as "true" (*emeth*, Psalm 119), appears nowhere in his very meager published work. The God of Abraham and Moses, of the Covenant, is absent from his entirely secular utterances.

In short, Mr. Freedman is an awesome spectacle: "The Liberal in the Age of Bill Clinton."

In the fall of 1987, conservatives at Dartmouth welcomed the accession of Mr. Freedman. The previous Dartmouth presidency, that of the personally estimable David McLaughlin, had been a disaster. When McLaughlin was first introduced to a meeting of the entire faculty, a professor arose to say, "Sir, you don't belong here." And things went downhill from there.

Mr. Freedman, in contrast, certainly did "belong." One early sign of his disposition was his repeated advocacy of "intellectualism"—not "intelligence," as with John Dewey, but "intellectualism." (The term "intellectual" is a social category which refers to a member of the middle class who adopts the stance of rebellion against that class, especially against its decencies.)

Mr. Freedman went on, repeatedly, to illustrate his ideal "intellectualist" as a "lonely scholar translating Catullus." The word "lonely" here is important, the most leaden of clichés: the man of thought and learning as Outsider. (And "Catullus" has some ironic importance here as well. The actual study of the classics has zero place in Mr. Freedman's academic agenda. He doubtless prefers Toni Morrison. This was beautifully illustrated when a student commencement speaker, referring to Mr. Freedman's ideal, spoke of Catullus as a "Greek poet.")

Although Mr. Freedman made much of his supposed attachment to the First Amendment, he quickly precipitated a series of sharp collisions with Dartmouth conservatives whose exercise of free speech led them into political incorrectness. One of these confrontations has become known as "The Bill Cole Affair."

One afternoon in the academic year 1988–89, Christopher Baldwin, then the editor of *The Dartmouth Review*, was sitting in the office of the newspaper when a freshman, previously unknown to him, entered and said something like, "You are not going to believe what is going on in Professor Cole's Music 5 class."

The freshman proceeded to describe "lectures" consisting of diatribes against racism, continuous obscenities, imprecations against whites, and frequent nervous trips out of the classroom for unknown reasons. Little was being taught about music. Baldwin told the freshman he must be exaggerating.

A few days later, the freshman turned up again, this time with a tape he had made of a Cole "lecture." The professor's performance turned out to be even worse than the student had been able to communicate. Baldwin had the tape transcribed and printed the whole thing in the *Review*.

In that same issue he also printed a detailed report on the malfeasance of a white member of the English Department who, instead of discussing the required reading in a freshman course, was taking the class to the movies and discussing those.

The English Department did its duty and required the professor actually to teach his assigned course. The Music Department, however, did nothing about Professor Cole. He continued to perform as previously in Music 5 and also undertook vituperative exchanges with the students at the *Review*, sometimes threatening them on the street. The *Review* reported on all this.

Mr. Freedman quickly precipitated a series of sharp collisions with Dartmouth conservatives.

After a few weeks of this, Baldwin and three staffers approached Cole and invited him to defend his conduct in a statement that would be printed,

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were exchanged, and there was some shoving. Cole filed a complaint with the College Committee on Standing and Conduct.

Between the filing of charges and the CCSC hearing a number of astonishing things took place.

President Freedman appeared one afternoon on the steps of the Parkhurst administration building, equipped with amplifiers and surrounded by black undergraduates plus a few bongo drums, and made a passionate speech against "racism." He did not mention Baldwin et al. by name, but of course everyone understood who the "racists" were.

Then, also still before the CCSC hearing, there took place a Candlelight Vigil Against Racism. It did not emerge until later that this parade had been organized by the Freedman administration, which even supplied the candles.

The CCSC suspended Baldwin for six terms—a very severe sentence—and the others for somewhat less. They were convicted of "vexatious oral exchange," a heretofore unknown College offense. The defendants raised about $300,000 (from foundations and parents' contributions) and Dartmouth had to put up a comparable sum to defend itself.

The trial, which ran for several days in a New Hampshire state court, was an amazing event. The lawyers for the students produced memos and correspondence among the administration, members of the faculty, and the CCSC of such an incriminating nature that the judge at first was startled and then entertained as the skeletons came jigging out of the closet. One faculty member on the CCSC itself had written to Dean Edward Shanahan that he was going to "get" those *Review* "bastards"—and neither he nor Shanahan saw any reason for him to disqualify himself from the Committee. There was the Administration-staged Candlelight Vigil, and much else.

It did not take long for the court to overturn the CCSC verdict and order the students reinstated.

And it was through all this that I first glimpsed the nature of James Oliver Freedman. It was especially striking to hear him tell a meeting of the general faculty that their annual raises would be affected by the legal bills the College had been obliged to pay—these bills, of course, a result of his own behavior.

Possibly even more revealing was the *Mein Kampf* Affair. In the fall of 1990, someone slipped a quotation from *Mein Kampf* into a much longer quotation from Theodore Roosevelt that always appears on the *Review* masthead. The subverted issue of the *Review* had been only partially distributed on campus when Kevin Pritchett, the editor-in-chief that year, discovered the Hitler quote. He immediately cancelled campus distribution, stopped the mailing to subscribers, had an apology printed and distributed, and had a clean issue of the newspaper run off and distributed. What more he could have done I cannot imagine.

But a day or two later, a wooden platform had been set up in the middle of the Dartmouth campus, complete with amplifying equipment. Hundreds of onlookers were milling around, many wearing T-shirts emblazoned with one of those red circles with a line through the word HATE.

At this Rally Against Hate, all sorts of wild things were said by Mr. Freedman, historian Arthur Hertzberg, and many others. Most notable, perhaps, was the following statement by Mr. Freedman, which was later printed and distributed by the College information service, and which he himself often described, I'm not joking, as his "Gettysburg Address": "For ten years, *The Dartmouth Review* has attacked blacks because they are blacks, women because they are women, homosexuals because they are homosexuals, and Jews because they are Jews."

Every word of this "Gettysburg Address" except the first three is false, and can be shown to be so from the text of the newspaper, not to say the composition of its staff. The current editor of the *Review*, standing by as Mr. Freedman bellowed through his amplifier, was Kevin Pritchett, who is black. Two previous editors-in-chief came from the Indian subcontinent, one of them being Dinesh D'Souza, who now has published two important best-sellers on education and on race. The first president of the *Review* had been Nathan Levinson, and the *Review* had had many Jewish staffers and editors. (Indeed, one freshman who listened to the "Gettysburg Address" was Andrew Baer, a staffer on the *Review* who had lost some thirty relatives in the Shoah. One immediate effect of Mr. Freedman's Rally Against Hate was that young Andrew Baer had

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swastikas inscribed on his dormitory door, and his frightened parents considered withdrawing him from Dartmouth.)

Is it even remotely possible that Mr. Freedman believed what he shouted from that platform? Did he really believe that the *Review* looked to Hitler for political guidance? This seems impossible. No one this side of Paraguay looks to Hitler in that way. When Mr. Freedman was asked by the *Wall Street Journal* how he would feel if, in due course, it were established that a saboteur had inserted the words from *Mein Kampf*, he replied, "I just haven't thought about that."

In fact, it was soon established who had inserted the words on the masthead. It was indeed sabotage.

WE come now to the zany climax, a collector's item of Tartuffian chutzpah. Last fall Mr. Freedman chose the opening of the Roth Jewish Center at Dartmouth to deliver himself of some remarks about Dartmouth's Jewish quotas fifty years ago. On February 11 of this year, Mr. Freedman gave an interview to the *Los Angeles Times* in which he said: "I chose that occasion [the Roth inauguration] to talk about that history. Some of this was related to the fact that, in my time at Dartmouth, we've had enough evidence of anti-Semitism from *The Review* (a conservative off-campus newspaper). [William F.] Buckley wrote a book called *In Search of Anti-Semitism* where Dartmouth was one of the four case histories he looks at."

Mr. Buckley did indeed use Dartmouth as one of his case histories, and what he concluded was that, where irresponsible charges of anti-Semitism were concerned, Mr. Freedman was "the principal malefactor of the season."

That Freedman cites Buckley as if in support of his allegations is world-championship chutzpah, absolutely breathtaking. As I said in a letter to the editor:

> Mr. Freedman says in the *Los Angeles Times* that he was 'seething' over the fact that Dartmouth was seen as anti-Semitic [because of the *Review*]. Excuse me. If someone in the general public had the impression that there was anti-Semitism at Dartmouth he undoubtedly gained that impression from Freedman himself, who was loudly and falsely hurling charges about it. People may be forgiven for believing the statements of an Ivy League President. They should get over that, at least in the case of Mr. Freedman. □

Little Buddhas

'Tibetan Buddhism' is all the rage—although it has little to do with Buddhism, or Tibet.

DAVID KLINGHOFFER

ON bus stops across New York City, a poster for Smirnoff vodka shows two cartoon characters *à la* Jules Feiffer, one holding up a bottle of non-Smirnoff spirits. The man boasts: "This vodka comes in a bottle designed by albino monks from Tibet." Unimpressed, the woman asks: "How's it taste?" The question hadn't occurred to him: "Taste?"

In vino veritas, or anyway in vodka. The poster neatly captures a cultural vortex that has snagged upper-middle-class white people by the tens of thousands. These folks have got their hands on a bottle with a particularly enchanting label, "Tibetan Buddhism," but what's inside has proved to be of less interest than the container. As Professor Donald Lopez writes in an intriguing new book, our homegrown "Tibetan Buddhists" have yet to notice that the entity they have embraced has little to do with the religion practiced for centuries by Buddhists in Tibet.

The phenomenon of white Buddhists has been amply chronicled in newspapers and newsweeklies. The emphasis there is on show-business celebrities who are into the stuff—Oliver Stone, Adam Yauch of the Beastie Boys, the inevitable Richard Gere, and action star Steven Seagal, recently celebrated as the reincarnation of a fifteenth-century Tibetan lama. But the popularity of this transplanted Oriental faith exceeds the city limits of Hollywood and Beverly Hills, as I can personally attest.

So for instance, not long ago I had high hopes for a sweet-hearted Jewish girl I had started dating. Hope began to dim when she revealed that she was a Tibetan Buddhist and showed me the big picture of a bulging red Buddha's Eye in her bedroom, suitable for worship. Around the same time I met a Jungian psychotherapist who recommended *The Tibetan Book of the Dead*, which, he explained, documents the researches of Tibetan psychonauts who pierced the veil between life and death and saw the fantastic portmortem future that awaits us all. Meanwhile, my friend Ira is always telling me about the mandala he saw in a dream the night before.

Tibetan boutiques are popping up all over Manhattan. In my neighborhood on the Upper West Side we've got a Tibetan restaurant plus two boutiques within a block of each other, the latter offering Tibetan furry hats, "healing incense," "religious artifacts," and "Tibetan singing bowls." (I stopped by Tibet Himalayan Gifts & Accessories the other morning to hear a Tibetan bowl warble or yodel or whatever Tibetan bowls do, but the shop was closed.)

The number of Americans who are Buddhist fellow-travelers, such as Ira, dwarfs the number of signed-up converts. Even so, the latter total more than 100,000. Both groups buy the requisite accessories, gadgets, singing bowls, magazines, and books—amazon.com lists 1,200 titles on Buddhism. They attend the nation's 1,062 Buddhist instruction centers—up from 429 since 1988. They see the movies: lately Hollywood has released three swank tributes to the Tibetan religion: Bernardo Bertolucci's *Little Buddha*, Martin Scorsese's *Kundun*, and *Seven Years in Tibet*, starring Brad Pitt.

Tibetan boutiques are popping up all over Manhattan.

For all this we can thank the Chinese. Had they not brutally cracked down on Tibet in 1959, causing the Dalai Lama and many others to flee, there would be no Tibetan lamas teaching in American cities and writing books for Americans to read. The Dalai Lama would still be ensconced in the Potala palace at Lhasa, instead of globe-trotting wherever spiritually malnourished white people are to

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be found, declaiming at the United Nations, and appearing, as he did last month, on the cover of *New York* magazine to plug alternative medicine.

Yet as Professor Lopez explains in his wry and enlightening *Prisoners of Shangri-La: Tibetan Buddhism and the West* (Chicago), the romance of Tibet goes back farther than the Tibetan diaspora. When fleeing Tibetan monks arrived in America they found they had been preceded by a religion, thought up by Americans and Englishmen, going by the same name as their own. The best-known Tibetan text circulating in the West continues to be one that the vast majority of actual Buddhist scholars never encounter in their monastic studies, the so-called *Tibetan Book of the Dead*. In reality an obscure mortuary text read over fresh corpses to inform the departed of the demons and deities they might expect to encounter in the hereafter, the *Book of the Dead* was picked up by an oddball from San Diego called Walter Evans-Wentz. In 1927 he published an extensive commentary based on Theosophy, the hoax religion founded in New York in 1875 by Madame Blavatsky. Since then, other editions have appeared. Their introductions and commentaries—which typically far overshadow in length the slender Tibetan document itself—tend to be unanchored in real Tibetan teaching; instead, they serve as a vehicle for whatever bee has got into the bonnet of the individual commentator. So there is a Theosophist *Book*, a Jungian version depicting the journey of the dead as psychological allegory, and another by Timothy Leary presenting the *Book* as a road map for an eight-hour acid trip.

Yet the various *Books of the Dead* seem almost conservative when compared to the output of the all-time best-selling author of works on Tibet and its religion: T. Lobsang Rampa, a/k/a Cyril Hoskin, an Englishman allegedly possessed by the spirit of a lama. In the 1950s, "Rampa" channeled three volumes of autobiography, which included tales of communication with space aliens and were marked by an odd emphasis on the religious significance of cats. He later produced a memoir of life with himself authored telepathically by his own cat, Mrs. Fifi Greywhiskers.

In general, the tendency of pseudo-Buddhism has been to reinvent thorny, particularistic Tibetan concepts as non-threatening, universalizing allegory. In a fascinating chapter about Tibetan art, Mr. Lopez demonstrates that authentic Tibetan Buddhism was always uninhibitedly idolatrous. It posited a multiplicity of gods that literally inhabited works of Tibetan religious art. When you prostrated yourself before a statue, you were bowing not to a symbol but to the god itself. Propitiating these deities was a key activity for Tibetans. This fact got decidedly lost in the American version, which presents the gods, if at all, as mere "projections" pointing to a "deeper reality," and emphasizes meditation, compassion, and environmentalism.

As Lopez reports, even Tibetan lamas have tended to absorb Westernized Buddhism at the expense of real Buddhism. In his view, the foremost Buddhist "modernist" is the Dalai Lama himself—which explains the wrangle the high lama has got himself into with followers of his who persist in worshipping a god by the name of Dorje Shugden. Shugden is just one of many regional Tibetan spirits, notable for an ability to flap his ears vigorously so as to create a super-powerful wind. But for reasons having to do with the politics of the Tibetan diaspora, the Dalai Lama decided to stamp out Shugden worship. Now when he travels in the U.S. and Britain, he is shadowed by Shugden-loving protestors who accuse him of suppressing their religious freedom.

Roman Genn

Stubborn particularism like that is among the fading embers of the old, non-modernist Buddhism. Presumably, that Buddhism wouldn't go over well in America, where idolatry still carries a hint of taboo. But the reinvention of the faith doesn't entirely account for its popularity in the West.

Other factors come into play. Buddhism looks great in feature-article photos. Devotees are invariably found sitting on beautifully waxed hardwood floors meditating with attractive potted plants and Buddha statues all around. No doubt, too, there is genuine substance, for good or evil, in that part of the religion which has survived the great American anti-weirdness filter. Interestingly, the Bible mentions "gifts" the patriarch Abraham gave to his concubines' children before sending them off "eastward to the eastern country," on which a tradition comments that these were spiritual gifts involving the "name of unclean powers." Who knows what real weirdness was preserved in cut-off places like Tibet?

Probably what American Buddhists love most is exactly this idea of old wisdom long hidden away. The extreme remoteness of Tibet, locked behind the Himalayas, is a note you often hear struck. Brad Pitt makes the point in *Seven Years in Tibet*. While hiking into Tibet he remarks to the audience in an awed voice: "This is the highest country on earth, and the most isolated."

The Bible has something to say about this, too. We are told to "love your neighbor as yourself," with the emphasis on *neighbor*. Presumably God doesn't bother to command in favor of an activity or attitude unless its opposite comes to some of us more naturally. There seems to be an indestructible human temptation to value whatever is farthest away from our immediate environment.

The more alien—in appearance, demeanor, values—the more seductive. Why do some liberals assume that any aspect of a Third World culture must by automatic right be morally superior to its counterpart in the West? To blame Western "self-hatred," as conservatives like to do, begs the question; anyway, most liberals don't really hate America and Europe. They're just loopy in love with Africa and Asia.

Which, in the long run, is bad news for "Tibetan Buddhism." The Dalai Lama can appear on the cover of *New York* magazine, or *People*, or *Paris Vogue*, only so many times before his boat starts to leak its exotic fuel. The lure of the foreign is a quality which, once lost, cannot easily be won back. Maybe those fans of Dorje Shugden have a point, after all. □

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ALL THE NEWS THAT FITS

Network Failure

Are the major media frivolous or biased? Some of each, find our reporters in the field.

BRENT H. BAKER & TIM GRAHAM

ON May 15, the *New York Times* reported that Johnny Chung told investigators that part of the almost $100,000 he gave Democrats in the summer of 1996 came not just from Communist China but from the People's Liberation Army. It was a blockbuster story, confirming what had been the most sensational possibility when Asiagate first broke back in 1996. But none of the three network morning shows touched the story, devoting the majority of their air time to the death of Frank Sinatra.

That night, after three Sinatra stories and updates on Indonesia and Pakistan, ABC's Peter Jennings devoted a minute and a half to the story. On CBS, Dan Rather spent 27 seconds on it. On NBC, Tom Brokaw surrendered just 15 seconds. CNN's 8 P.M. newscast gave the story 2 minutes after 43 minutes of other news, including an estimate of the audience for the *Seinfeld* finale and a story about the recall of the new Volkswagen Beetle.

Two days later, the *Times* returned to the subject, detailing how President Clinton overrode the decision of Secretary of State Warren Christopher to limit permission to launch American-made satellites on Chinese rockets. Only ABC assigned a reporter to the story that night. CBS ignored it, although its newscast had time for a story on scientists' trying to determine whether Thomas Jefferson had offspring with slave Sally Hemings. NBC's basketball-shortened newscast covered the upcoming vote in Ireland on a peace plan and "Powerball fever."

Media critics once complained that the networks obsessively followed the lead of the *New York Times*. Now, when it comes to the Clinton scandals, they don't even do that. The primary building blocks of TV news shows today are packages—"A Closer Look" on ABC, "In Depth" on NBC, "Eye on America" on CBS—devoted to themes such as the joys of Viagra, the fat content of French fries, or the latest gale of El Niño. These are great ratings grabbers—and they do not need to wait for the news of the day; indeed, they are often produced weeks in advance. Segments like these used to focus almost exclusively on serious policy issues concerning health and welfare, education, and the environment. Now they're more likely to report on male pattern baldness or the flaw in new diet drugs.

Network executives today seem completely comfortable making soft news a top priority. The ascent of 24-hour news outlets on television, radio, and the Internet makes the networks feel that public affairs have already been covered all day long; since a half-hour-long show can't compete with C-SPAN for the attention of political junkies, the reasoning goes, the networks may as well focus on the most attractive news for the greatest number. But 70 per cent of Americans tell pollsters they get most or all of their news from network television.

And C-SPAN can't always cover the big stories either. In 1997, when the Senate Governmental Affairs Committee convened to investigate fundraising abuses at the Democratic National Committee, Sen. Fred Thompson's hearings were not aired during the day on C-SPAN, because of its commitment to cover Congress. Most days, they were not covered live by CNN or MSNBC. Even the Public Broadcasting Service, originally created to counter the networks' commercialism, decided that Barney and Big Bird and Arthur the Aardvark were too important to be interrupted by Senate hearings.

With a longer list of affiliates than any of the other networks (and often with more than one station in a market), PBS insisted that its affiliates would not defer to someone else's notion of the public interest. Ellen Hume, head of PBS's "Democracy Project," explained: "A commitment to such open-ended coverage, including the House hearings which have not even started yet, was not a realistic option for PBS. PBS was in its infancy during Watergate, and, like MSNBC or the Fox cable channel today, it had little established programming to pre-empt. Today families rely on PBS's children's programming during the day, particularly when school is out during the summer."

Roman Genn

Mr. Baker is Vice President for Research and Publications at the Media Research Center in Alexandria, Virginia. Mr. Graham is the MRC's Director of Media Analysis.

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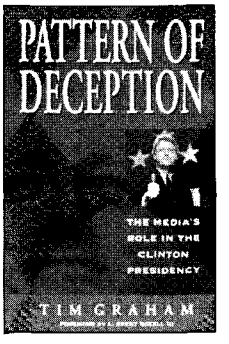

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If the Thompson hearings were not given live coverage, were they at least seriously reported on the network newscasts? No. Jennings and Brokaw and Rather all buried the hearings beneath lurid tabloid-style stories. The murder of Gianni Versace easily outranked the fundraising hearings on the evening newscasts, and the morning shows aired 7 segments on Versace for every 1 on the fundraising scandal. In the month after Princess Diana's death, the Diana-to-DNC ratio was 6 to 1 on the evening news, 10 to 1 in the morning.

Of course, there should be room in a half-hour-long show for both the ratings-grabber and the brain-teaser. But the networks are terrified of viewers flipping to *Wheel of Fortune*. Indeed, the news shows now often start with a trivial item, and the more important political news arrives twenty minutes later—if it arrives at all. On July 16, 1997, the Thompson committee heard one of John Huang's bosses at the Commerce Department say Huang was "totally unqualified" for his post. But on ABC's *World News Tonight*, the lineup that evening was: three Versace stories, the NAACP convention, an FDA-approved implant for epilepsy, a bank robber who stuffed dollars in his pants and fled in his underwear when the dye on the bills ignited, and a fly-fishing program for breast-cancer victims.

Almost immediately, reporters began agonizing about how their coverage was hurting Clinton.

In August, ABC's Cokie Roberts explained that the networks weren't covering the Thompson hearings much because of the low name recognition of the witnesses. The next month, when National Security Advisor Sandy Berger testified, ABC gave his testimony 18 seconds. That show had led with a poll showing that Brits want Prince William rather than Prince Charles to be their next king. Before getting to Berger, ABC gave its viewers another Diana-related story, studies on AIDS and osteoporosis, and sexual harassment in the Army.

Not only did Sen. Thompson and his committee colleagues go uncovered, they also went uninterviewed on the weekday morning shows. Those shows devoted only five interview segments to the hearings in July, and all five were with the networks' own pundits—NBC's Tim Russert and ABC's Cokie Roberts, George Stephanopoulos, and Bill Kristol. The use of in-house pundits is largely a business decision: it helps promote the networks' Sunday interview programs, it justifies multi-million-dollar contracts for the pundits, it sticks to people who are accustomed to speaking in soundbites, and, most importantly, it avoids giving air time to boring public officials who might focus on something other than who's up and who's down.

News Lite has worked to Bill Clinton's advantage, keeping most of his abuses of the public trust off the air—except in the case of Monica Lewinsky. With the ratings bonanza of the O. J. Simpson murder trial still warming television executives' hearts, the networks ran more stories on Monicagate in its first few days than they had run on all the other scandals combined over the previous five years—the FBI files (about 60 stories), Travelgate (many fewer than that), all the indictments of Cabinet members (next to none), the Asian fundraising scandal (see above). Was Monicagate definitive proof that there is no such thing as media bias? Ted Koppel suggested as much to Newt Gingrich on *Nightline*. But the course of that scandal has been instructive.

Almost immediately, reporters began agonizing about how their coverage was hurting Clinton. Just three days after the Lewinsky affair broke, ABC was focusing on the media's "overcoverage." CNN, with Clinton buddy Rick Kaplan at the helm, flayed the rest of the media—not for failing to cover the earlier stories but for covering this one—in a two-hour special. PBS's *NewsHour with Jim Lehrer* and the other network news shows followed suit. Then, having concluded that they themselves had gone too far, the media decided that Ken Starr had too.

Less than three weeks after the Lewinsky scandal broke, ABC's Michel McQueen concluded a piece: "The question now is whether Starr's tactics will prove more offensive to the courts and the public than any alleged wrongdoing by the President that Starr is investigating." A week later NBC's Tom Brokaw plugged an upcoming story: "Still ahead tonight: Investigating the President. A growing backlash against independent counsel Kenneth Starr. Is he out of bounds or just tone deaf? . . . Has Starr gone too far in his pursuit of Monica Lewinsky and the President?" The network trotted out polls asking: Has Starr gone too far? By contrast, of course, when Iran–Contra prosecutor Lawrence Walsh indicted Caspar Weinberger four days before the 1992 election, there was a barrage of media commentary pointing out how the indictment would hurt the Bush campaign, but the networks didn't even mention Walsh's name.

EVEN when it's a matter of policy debates rather than personalities, the same tired biases still apply. When the Senate considered a Republican proposal for tax-free education savings accounts, CBS's Dan Rather reported not on the proposal but only on the attack on it: "President Clinton today attacked a Republican proposal in Congress. This Republican proposal would let people set up education savings accounts that earn tax-free interest. The President said this GOP version benefits the rich and private schools at the expense of already decaying public schools." CNN anchor Martin Savidge endorsed Democratic worries that "tax breaks for private tuition would benefit the wealthy at the expense of public education. And Democrats have numbers on their side. A Treasury Department report says 70 per cent of the benefits would go to just the top 20 per cent of income earners. Overall the education savings accounts would cost the government $1.6 billion in tax revenues."

Criticism of the media used to vary depending on whether the critic was on the Right or on the Left. Liberal critics would complain that the networks, in response to the market, were frivolous, while conservatives focused on their liberal bias. Frivolous or biased? Unfortunately, we don't have to choose. □

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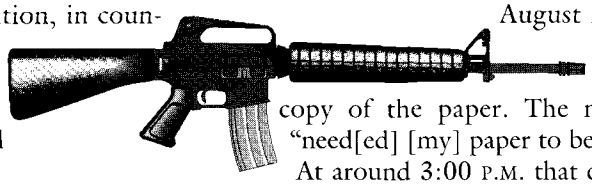
Trigger Happy

JOHN R. LOTT JR.

IN January 1997, I published a paper in the *Journal of Legal Studies* on the consequences of legalizing concealed weapons. Using FBI crime data for all 3,054 U.S. counties from 1977 to 1992, I demonstrated that allowing law-abiding citizens to carry concealed handguns deters violent crime and produces no significant increase in accidental handgun deaths. In addition, in counties which permitted citizens to arm themselves, murder rates fell by at least 8.5 per cent, aggravated assaults by 7 per cent, rapes by 5 per cent, and robberies by 3 per cent.



The study, ideally, should have been the occasion for a reasoned examination of our gun-control laws. Instead, its reception became a case study in dishonesty among gun-control advocates and gullibility among reporters. In the end, the study's media fallout was almost as telling as its original findings.

When I was preparing to present the study at the Cato Institute in early August 1996, I wanted to get a proponent of gun control to provide critical comments on the paper. I approached 22 gun-control advocates before Jens Ludwig, a young assistant professor at Georgetown University, accepted my invitation to comment.

Some of the people I approached—like Susan Glick, of the Violence Policy Center—said straight out that they were unwilling to act as commentator because, as Miss Glick put it when I spoke to her that June, she didn't want to "help give any publicity to the paper." When I asked her if I could at least send her a copy of the paper because I would appreciate any comments she might have, she said, "Forget it. There is no way that I am going to look at it. Don't send it."

But when the story broke anyway in *USA Today* on August 2, Miss Glick was among the many people who left telephone messages asking for a copy of the paper. The media were calling, and she "need[ed] [my] paper to be able to criticize it."

At around 3:00 P.M. that day ABC News reporter Barry Serafin called me saying that certain objections had been

Mr. Lott is the John M. Olin Law and Economics Fellow at the University of Chicago. This article is excerpted from his book, More Guns, Less Crime: Understanding Crime and Gun Control Laws, *published this month by the University of Chicago Press. Reprinted by permission. Copyright©1998 by the University of Chicago.*

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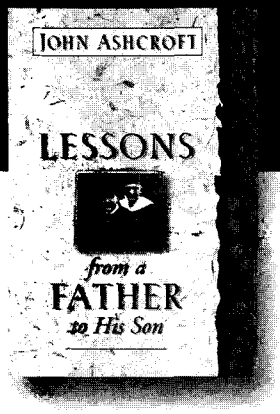

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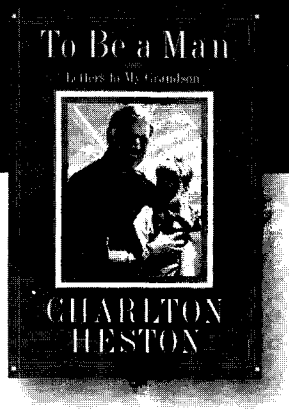

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raised about my paper; he mentioned that one of those who had criticized it was Susan Glick. After talking to Mr. Serafin, I gave Miss Glick a call to ask her if she still wanted a copy of my paper. She said that she wanted it right away and wondered if I could fax it to her. I then noted that her request seemed strange because Mr. Serafin had just told me that she had said the study was "flawed." I asked how she could have said it was flawed without having looked at it. At that point Miss Glick hung up.

Many of the attacks from groups like Handgun Control, Inc., and the Violence Policy Center focused on claims that

These attacks were false, and I believe those who made them knew they were false.

my study had been paid for by gun manufacturers or that the *Journal of Legal Studies* was not a peer-reviewed journal. These attacks were false, and I believe that those who made them knew they were false. At least they had been told by all the relevant parties at the University of Chicago—where I am the John M. Olin Law and Economics Fellow—and at the Olin Foundation that the funding charges were wrong, and the peer-reviewed status of the *Journal of Legal Studies* is not in question.

But the attacks claiming that my work had been paid for by gun manufacturers were unrelenting. Rep. Charles Schumer (D., N.Y.) wrote in the *Wall Street Journal*: "The Associated Press reports that Prof. Lott's fellowship at the University of Chicago is funded by the Olin Foundation, which is 'associated with the Olin Corporation,' one of the nation's largest gun manufacturers. Maybe that's a coincidence . . . But it's also a fact." In a letter that the Violence Policy Center mass-mailed to newspapers around the country, Kristen Rand, the Center's federal-policy director, wrote, "Lott's work was, in essence, funded by the firearms industry—the primary beneficiary of increased handgun sales. Lott is the John M. Olin fellow at the University of Chicago law school, a position founded by the Olin Foundation. The foundation was established by John Olin of the Olin Corp., manufacturer of Winchester ammunition and maker of the infamous 'Black Talon' bullet." Stories repeating this assertion appeared in newspapers from the *Chicago Tribune* to the *Houston Chronicle* to the *Des Moines Register*, as well as in high-brow publications like *The National Journal*.

The Associated Press eventually released a partial correction stating that the the Olin Foundation and Olin Corporation are separate organizations, but a Nexis search of news stories reveals that only one newspaper in the entire country that had published the original Associated Press report carried the correction.

William Simon, the Olin Foundation's president (and former U.S. Secretary of the Treasury), tried to set the record straight in a letter to the *Wall Street Journal* in September 1996:

> The John M. Olin foundation, of which I have been president for nearly 20 years, is an independent foundation . . . created by the personal fortune of the late John M. Olin, and is not associated with the Olin Corp.
>
> The John M. Olin Foundation has supported for many years a program in law and economics at the University of Chicago Law School. This program is administered and directed by a committee of faculty members in the law school. This committee, after reviewing many applications in a very competitive process, awarded a research fellowship to Mr. Lott. We at the foundation had no knowledge of who applied for these fellowships, nor did we ever suggest that Mr. Lott should be awarded one of them. We did not commission his study, nor, indeed, did we even know of it until last month . . .

If Olin *were* trying to buy research, it must be getting a very poor return on its money. Given the hundreds of people at different universities who have received Olin fellowships, I have been the only one to work on the issue of gun control.

After the funding attacks, the gun-control organizations brought up new issues. In the spring of 1997, the Violence Policy Center sent out a press release entitled "Who Is John Lott?" It claimed, among other things: "Lott believes that some crime is good for society, that wealthy criminals should not be be punished as harshly as poor convicts." I had in fact argued that "individuals guilty of the same crime should face the same expected level of punishment" and that with limited resources to fight crime, it is not possible to eliminate all of it. Nonetheless, these silly assertions were picked up by publications like *The New Republic*.

So much for a reasoned debate. Before I did my original study, I never would have guessed how deeply people fear discussion of these issues. I never would have guessed how much effort goes into deliberately ignoring certain findings in order to deny them news coverage. I never would have guessed how much energy goes into attacking the integrity of those who present such findings, with such slight reference—or no reference at all—to the actual merits of the research. Nor would I have guessed how often such attacks get carelessly reproduced in the media.

Count me sadder, but wiser—and considerably more skeptical whenever I scan the headlines or turn on the TV news. □

Partial Truth

MATTHEW SCULLY

IN late 1996 and early 1997, reporters and commentators went though one of their little rituals of shock, self-disgust, confession, and atonement. The occasion was the debate over partial-birth abortion.

The most abject confession came from *Washington Post* columnist Richard Cohen, who admitted he had been parroting data from "the usual pro-choice groups." He had

Mr. Scully, a writer in Herndon, Va., is a former literary editor of NR.

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been "led to believe that these late-term abortions were extremely rare and performed only when the life of the mother was in danger or the fetus irreparably deformed," he wrote in September 1996. "I was wrong." The *Post* itself editorialized the following March about the pro-abortion groups that "lied about the real reasons women seek this particular kind of abortion." The *Chicago Tribune* noted that "this was not the first misinformation peddled by pro-choice organizations." Jonathan Alter in *Newsweek* admitted the incident had "even managed to rouse the consciences of basically pro-choice types like me."

This was fine as far as it went. But the indignation seemed to arise more from the injury to professional pride than from the lie itself. Thus, a year later, the matter has basically been put behind us, the liars still called upon for information on the very matters they lied about.

It all began, you will recall, with Dr. James McMahon. Unearthed in 1990 by *Los Angeles Times* reporter Karen Tumulty, he was the fellow who first figured out how to deliver all but the head of a baby, apply scissors and suction tube, and still enjoy the protection of our abortion laws. His colleague, Ohio abortionist Martin Haskell, in 1992 composed an instructional monograph, *Dilation and Extraction for Late Second Trimester Abortion*, explaining the method step by step, and also the reason: "Most surgeons find dismemberment at 20 weeks and beyond to be difficult due to the toughness of fetal tissues at this stage of development." Hence the advantage of "intact abortion" by means of crushing the baby's head.

Haskell's how-to manual was distributed by the National Abortion Federation for study by other abortionists, one copy making its way to the National Right to Life Committee. Adding medically accurate line drawings of each step, the NRLC reprinted the monograph as a brochure. In July 1993 reporter Diane Gianelli of *American Medical News* picked up the story, confirming each point in interviews with McMahon and Haskell. The NAF accused her of falsifying quotes, such as Haskell's estimate that 80 per cent of partial-birth abortions are "purely elective." *American Medical News* responded with a transcript of the taped interviews. The NAF was forced to concede its misrepresentations. There the matter stayed until July 1995, when Rep. Charles Canady (R., Fla.) introduced the Partial Birth Abortion Ban Act.

What followed was the greatest disinformation campaign in American journalism since the *New York Times*'s Walter Duranty earned a Pulitzer covering up for Stalin. For the next several months a series of urgent "fact sheets" landed in newsrooms across America. Sorting through the press clips, it isn't hard to tell which reporter was reading from which fact sheet.

Planned Parenthood, Nov. 1: "The procedure, extremely rare and done only in cases when the woman's life is in danger or in cases of extreme fetal abnormality . . ." Fox News, Nov. 2: "It's a procedure used only when the mother's life is at stake or when the fetus has severe abnormalities." Reporter Edwin Chen of the *Los Angeles Times*, Nov. 2: "The controversial abortion technique is typically performed when a woman's life is in danger or to abort a fetus that is not expected to survive."

Planned Parenthood, June 15: "The D&X [partial-birth] abortion procedure is a rare and difficult medical proce-

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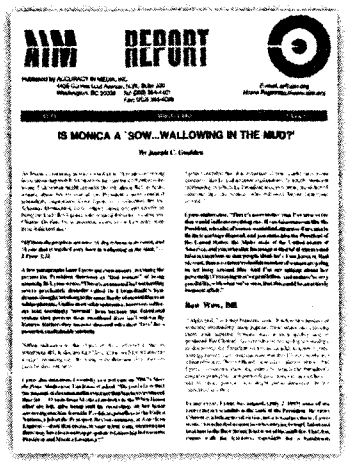
AIM REPORT

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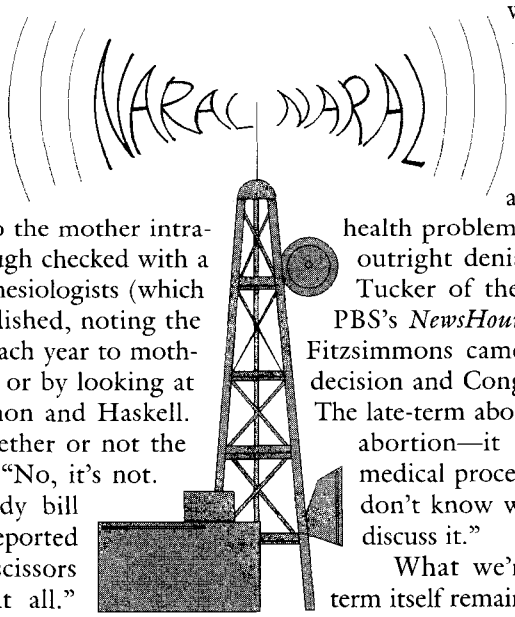
dure. It is usually performed in the most extreme cases to save the life of the woman or in cases of severe fetal abnormalities." The *New York Times*, June 19: "[The Canady bill] would outlaw one of the rarest types of abortions—a highly specialized procedure that is used in the latter stages of pregnancy to abort fetuses with severe abnormalities or no chance of surviving long after birth." Reporter Chitra Ragavan of National Public Radio's *Morning Edition*, July 14: "Anti-abortion groups call it 'partial-birth' abortion. Doctors resort to this rare procedure only for late-term abortions if the fetuses have severe abnormalities and no chance of survival."

Another tack was to avoid any mention at all of the details, as when CBS Evening News *anchor Dan Rather informed us that the House had voted to 'make a rarely used type of late-term abortion a felony.'*

Fact sheet courtesy of the National Abortion Federation: "This procedure is used only in about 500 cases per year." *Time* magazine the following week: "Experts estimate that partial-birth abortion accounts for perhaps 600 of the 1.5 million abortions performed in the U.S. each year."

All this, mind you, was reported as simple fact, requiring no attribution. Another tack was to avoid any mention at all of the details, as when *CBS Evening News* anchor Dan Rather informed us that the House had voted "to make a rarely used type of late-term abortion a felony."



Other news outlets reported that anesthesia made the procedure painless to the fetus. (Planned Parenthood, Nov. 1: "The fetus dies of an overdose of anesthesia given to the mother intravenously.") It was a point easily enough checked with a call to the American Society of Anesthesiologists (which debunked the claim after it was published, noting the millions of healthy babies delivered each year to mothers who have undergone anesthesia) or by looking at the original interviews with McMahon and Haskell. (Gianelli: "Let's talk first about whether or not the fetus is dead beforehand." Haskell: "No, it's not. No, it's really not.") As the Canady bill neared a vote, the Associated Press reported that "Opponents of the bill say the scissors method is very rare if it exists at all." (Haskell in his how-to monograph: "[T]he surgeon then forces the scissors into the base of the skull. Having safely entered the skull, he spreads the scissors to enlarge the opening.")

Then one day in September 1996 a reporter for *The Record* in Bergen County, New Jersey, Ruth Padawer, undertook an extremely rare and difficult procedure known as original research. She called the local abortion clinic to ask how many partial-birth abortions it performed: at least 1,500 a year, she learned. Of the 1,500 just at that clinic—three times the 450 to 500 said to occur nationwide—"a minuscule amount" were done to save the mother's life. Two days later the *Washington Post* did itself credit with a lengthy piece by medical writer Dr. David Brown and reporter Barbara Vobejda, essentially refuting all its previous reportage: "It is possible—and maybe even likely—that the majority of these abortions are performed on normal fetuses."

In February 1997 came the most striking confession. Interviewed the previous November on *Nightline*, Ron Fitzsimmons, executive director of the National Coalition of Abortion Providers, had used the 450-nationwide figure. He now wished to tell America that he had been "lying through my teeth." By far the majority of cases involve a healthy mother and a healthy fetus, he told *American Medical News*. "The abortion-rights folks know it, the anti-abortion folks know it, and so, probably, does everybody else." Abortion in general, he added, "is a form of killing. You're ending a life."

Some 14 months had passed, as Terry Eastland concluded in a 1997 edition of PBS's *Media Matters*, between the introduction of Canady's bill and the first sign of original reporting by all but a few in the major media. It took the Bergen *Record* to get the *New York Times* moving, and an abortionist to prick the conscience of pro-choice America.

Notable in coverage since then is the absence of the usual paragraph reminding the reader of the story so far. If, let us say, Gary Bauer had been caught in an outright deception, it's a safe bet that that would be considered essential background in all future media coverage of his doings ("The controversial Bauer, who twenty years ago was revealed to have lied . . ."). One also notices, as in a March 23 AP dispatch, a return to the pre-Fitzsimmons line: "Abortion-rights advocates say the procedure is uncommon and used only when a fetus has severe abnormalities or the woman has serious health problems." Here and there you can even find outright denial. Listen to "news analyst" Cynthia Tucker of the *Atlanta Constitution*, appearing on PBS's *NewsHour with Jim Lehrer* three months after Fitzsimmons came clean: "Jim, abortion is a medical decision and Congress has absolutely no business in it. The late-term abortion that opponents call 'partial-birth' abortion—it is an obscure, very rarely practiced medical procedure, and most members of Congress don't know what they're talking about when they discuss it."

What we're hearing there is desperation. The term itself remains cordoned between quotation marks, as if beneath proper journalistic usage. But one by one the euphemisms are falling away and the hard nouns and verbs are breaking free, sometimes to surreal effect: "While proponents say such laws ban 'partial-birth' abortion," reported the *New York Times* on April 8, "nowhere do the statutes describe that procedure, which involves extracting all but the head of a living fetus from the womb, then killing it by inserting a pair of scissors into the brain." Here are the editors at the newspaper of record fussing over "partial-birth," while *killing* breezes by without notice. □

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THE VICE PRESIDENT
WASHINGTON

May 31, 1998

Dear Rusty,

When I first heard about the nuclear arms race in the subcontinent, I must admit that I was a little nonplussed. Tipper burst in on me while I was doing my abdominal crunches.

"Al, the Indians have the bomb!" she cried.

"Damn!" I said. "First they get casinos, and now this."

"Not those Indians," she said.

"Dot or feather?" I asked.

"Dot," she answered.

Then, a few days ago at a national-security briefing, Sid Blumenthal and Lanny Davis suggested that we immediately impose sanctions on Pakistan for its bomb tests. Paul Begala and Harry Thomason violently disagreed, thinking that the UN should impose any penalty. Then Bill called from the living quarters, where he was practicing "jury eye-contact."

"What's up?" he asked from the speakerphone.

"Well, Bill," I said, "the Indians—dot, that is, not feather—have tested several nuclear devices, and now the Pakistanis have responded. My sense is that the Indians are trying to maintain a balance of power with China, which has had designs on parts of northern India."

"That's very interesting, Al," Bill said. "What do you base your analysis on?"

"Well," I said, "yesterday on CNN the Indian prime minister said that what they're trying to do is to maintain a balance of power with China, which they believe, in the past, has had designs on parts of northern India. The rest I extrapolated.

"What I suggest, Bill," I continued, dazzling Paul Begala with my foreign-policy prowess, "is that we go to the Pakistanis, get them to agree to a no-first-strike deal with India, and bring them both to Washington where they can sign the treaty on the lawn of the Naval Observatory."

"Or the White House."

"Could do. Awfully hot this time of year, but could do. Anyway, I'm sure the Chinese will cooperate. After all that money we allowed them to donate to us, I should hope they know what side of the bread the butter's on, right?"

There was a silence.

"Right?" Everyone finally nodded.

Bill gave me the go-ahead and I dashed to my office to call one of my high-level contacts in the Chinese intelligence community. He was out delivering cold sesame noodles to a K Street law firm, so I talked to his wife instead. I laid out the plan.

"We have a saying in Chinese, Mr. Vice President," she said.

"Is it, 'He who pays the piper calls the tune'?" I asked, trying to be helpful.

"No, but I'm glad that you're familiar with that one. The saying I'm referring to is, 'Crisis and opportunity are written with the same character.'"

"Ah, yes," I said, not really understanding.

"I'm very glad. Our friends in Pakistan will be glad too."

"Well, that's kind of why I'm calling. What I'm driving at is that we'd really appreciate it if you could lean a little on your Pakistani pals, maybe get them to agree to a no-first-strike type of thing? Maybe they and the Indians could sign something. Maybe here, in Washington?"

"Or in Beijing."

"Similar, yes, but I'm thinking Washington."

"But you see, the Pakistanis will be in Beijing in a few months anyway."

"Really? Why?"

"There's still a lot of equipment they don't know how to use. Let's be honest, Mr. Vice President, a third-grader in your country could build and explode a nuclear bomb. Of course, in our country that would be a first-grader, owing to our superior education system and the natural Chinese efficiency—"

"Yes, yes. So what are they learning?"

"How to arm and detonate a nuclear-tipped missile."

"You guys know how to do that?"

"Not yet. The guy from Loral won't be out until next month. He was supposed to go last week, but then he was delayed. Something about 'not missing my kid's soccer game.'"

"We take our kids very seriously over here."

"Yes, I can see."

We hung up. I'm still waiting for the reply. These things take time, I know. We're dealing with another culture altogether. Still, when you take money from a guy, I don't care where you're from, you expect that guy to hop to.

Right?

Your pal, Al

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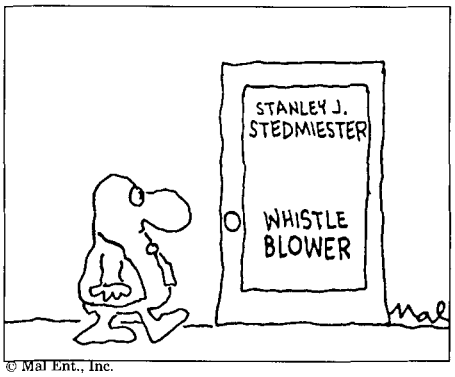

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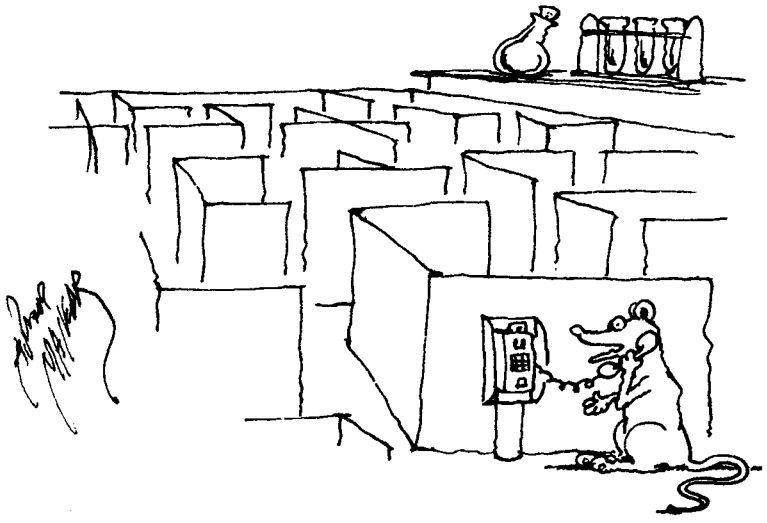


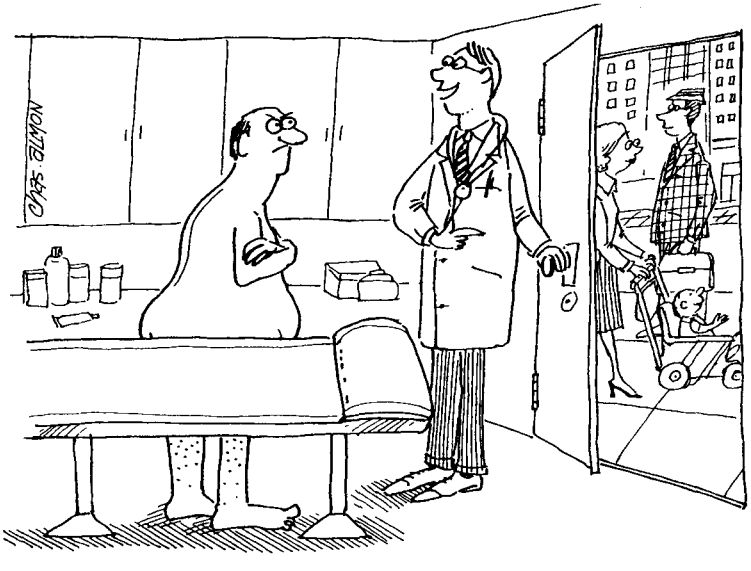
"Hello, Dad? You were right about the real world. I want to come home."

"Will you be taking any prisoners today sir?"

Talking Hardware

Sometime in dark November,
Meteorites are due;
The "shower," as technicians say,
Could conk out signals to
Discs catching Peter Jennings,
Along with pagers that
Help Tinseltown stay regular,
So let's enjoy the splat.

—W. H. VON DREELE



"You, difficult? Don't be silly. Now go into this room for your next exam."

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FRIEND OF BILL

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BOOKS, ARTS & MANNERS

Great Expectations

TERRY TEACHOUT

WHY is Norman Mailer still famous? He hasn't written a good book since *The Executioner's Song*, which is 19 years old. Except for *The Naked and the Dead*, none of his novels continues to be read, and his magazine journalism long ago curdled into self-parody. I've never met anyone under the age of forty who took him seriously. Yet Random House, which so far as I know is not a charitable institution, is celebrating his 75th birthday by bringing out a 1,200-page anthology of his writing, chosen by the master himself. That's a pretty fancy birthday present, especially given the fact that it will surely wind up on the remainder tables by year's end.

Mailer has been writing badly for so long that it is easy to forget that a great many intelligent people once took him almost as seriously as he took himself. (Trivia question: Who called him "one of the few postwar American writers in whom it is possible to detect the presence of qualities that powerfully suggest a major novelist in the making"? Answer: Norman Podhoretz, writing in 1959.) And *The Time of Our Time* contains ample proof that for all his faults, the young Mailer really did have talent to burn. He could blather on for page after page about existential anguish, then snap into focus and toss off the kind of brilliantly exact description that made his colleagues sweat with envy. Here is Truman Capote, pinned down in one perfect sentence: "'I didn't want to do this show,' he said in a dry little voice that seemed to issue from an unmoistened reed in his nostril."

The Time of Our Time, by Norman Mailer (Random House, 1,216 pp., $40)

The trouble with Mailer was that he was drunk on ideas, a deadly tipple for woolly-minded pseudo-intellectuals. Sensing instinctively that liberalism had run its course, he made the mistake of assuming that radicalism was the only way out, and complicated matters still further by opting for a romantic radicalism rooted in sexual mysticism. As a result, his style grew bloated and slack, especially on the increasingly frequent occasions when he grappled with imperfectly digested philosophical concepts:

Norman Mailer by Bob Bukin

It is on this bleak scene that a phenomenon has appeared: the American existentialist—the hipster, the man who knows that if our collective condition is to live with instant death by atomic war, relatively quick death by the State as *l'univers concentrationnaire*, or with a slow death by conformity with every creative and rebellious instinct stifled (at what damage to the mind and the heart and the liver and the nerves no research foundation for cancer will discover in a hurry), if the fate of twentieth-century man is to live with death from adolescence to premature senescence, why then the only life-giving answer is to accept the terms of death, to live with death as immediate danger, to divorce oneself from society, to exist without roots, to set out on that uncharted journey into the rebellious imperatives of the self.

Yet Mailer had little choice but to write about ideas, for he had little else about which to write. The publication in 1948 of *The Naked and the Dead* left him "prominent and empty" at the age of 25, and he spent the rest of his youth and early middle age living in the glare of renown, making it impossible for him to accumulate the private experience out of which good novels are spun. He wrote interestingly about this problem in *Advertisements for Myself* ("My farewell to an average man's experience was too abrupt . . . I was a node in a new electronic landscape of celebrity, personality, and status"), but that was a trick that could be brought off only once: from then on, it would be ideas or nothing.

It was thus inevitable that he would turn to journalism, which supplies the gifted but unformed writer with pre-set subjects on which to hone his style. Unfortunately, his celebrity made it impossible for him to undergo the normal period of apprenticeship: he was thrown in at the deep end, and his self-indulgent flounderings were mistaken for originality. To be sure, *The Presidential Papers*, *The Armies of the Night*, *Miami and the Siege of Chicago*, and *Of a Fire on the Moon* are not without their bright spots, and "The Liberal Party," the chapter of *The Armies of the Night* in which Mailer describes a visit to a party thrown by "an attractive liberal couple," is a minor masterpiece of social observation:

> Conservative professors tend to have a private income, so their homes show the

Mr. Teachout, an NR *contributor, is the music critic of* Commentary *and writes the "Front Row Center" column for* Civilization, *the magazine of the Library of Congress. He is at work on a biography of H. L. Mencken.*

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flowering of their taste, the articulation of their hobbies, collections adhere to their cabinets and odd statements of whim stand up in the nooks; but liberal instructors, liberal assistant professors, and liberal associate professors are usually poor and programmatic, so secretly they despise the arts of home adornment. . . . the artist on the wall is a friend of the host, has the right political ideas, and will talk about literature so well, you might think you were being addressed by Maxim Gorky.

But even at his best, Mailer was addicted to navel-gazing, and his insistence on placing himself on stage alongside his subjects, though initially refreshing, ultimately proved disastrous. It is no coincidence that the two most successful pieces of book-length reportage to come out of the Sixties, Truman Capote's *In Cold Blood* and Tom Wolfe's *The Right Stuff*, scrupulously avoid the self-aggrandizement that was Mailer's journalistic trademark (or that *The Executioner's Song*, by far Mailer's strongest piece of journalism, is also one of the few non-fiction books he has written in which he does not figure as a major character).

What is it about this 75-year-old has-been that continues to make aging editors weak in the knees?

So what is it about this 75-year-old has-been that continues to make aging editors weak in the knees? The answer, I think, is that he is to literature what the Kennedys are to politics, a living, breathing relic of the vanished era of high hopes. Even though he was already washed up as a novelist by 1960, Mailer had retooled himself as a middlebrow journalist just in time to bang the drum for JFK. Talk about sucker bait: Mailer had spent the Fifties bemoaning the "partially totalitarian society" that was America under Dwight Eisenhower, and along came a handsome young Democratic philosopher-king, a glamorous millionaire who wrote books (or at least signed them), flattered susceptible authors (including Mailer), and hung out with the likes of Frank Sinatra and Marilyn Monroe. All at once the joint was jumping, and everything seemed possible, from racial equality to free love: "Yes, this candidate for all his record, his good, sound, conventional liberal record, has a patina of that other life, the second American life, the long electric night with the fires of neon leading down the highway to the murmur of jazz."

Appropriately enough, Mailer became the chief chronicler of the Sixties, the high-priced hired gun for whom magazine editors with money to burn sent whenever they wanted to put the seal of literary seriousness on political conventions or moon shots. He was the first American novelist since Ernest Hemingway to be widely known by name to people who didn't read books, and it begins to look as if he'll be the last one. (Has David Letterman *ever* interviewed a novelist?) But like so many quondam revolutionaries, he proved unwilling to ride the train to the end of the line, revealing himself in *The Prisoner of Sex* (1971) to be unalterably opposed to the women's-liberation movement, an irretrievable blunder that brought to an abrupt end his quarter-century-long run as the golden boy of American letters.

At this point, a better writer might have finally gotten down to business and produced the memorable novels everybody had long expected Mailer to write. Certainly he had no shortage of ambition. "I am imprisoned with a perception that will settle for nothing less than making a revolution in the consciousness of our time," he announced at the age of 36, adding that his writings "will have the deepest influence of any work being done by an American novelist in these years." Alas, his post-1971 output, *The Executioner's Song* excepted, is noteworthy only for its flaccid awfulness. *Ancient Evenings*, *Tough Guys Don't Dance*, *The Gospel According to the Son* . . . need I say more? Not since Sinclair Lewis has an author of note ground out so dreary a string of flops.

No doubt Mailer, like Kennedy, will never lack for bootlickers, at least while his generation is still alive. It's hard to accept that a once-promising writer has become a burnt-out case, especially when the memory of his promise is part of your own lost youth. Who would have guessed in 1960 that the first literary star of the electronic age would end his days as a nostalgia act, the Glenn Miller of Camelot? Once again, Jack Kennedy got it wrong: life *is* fair—all you have to do is give it time. □

Darkness Visible

ROBERT B. EDGERTON

MENTION "the Dark Continent" to an educated American audience, and the chances are that they will know you are referring to Africa. But ask questions about Africa, and the chances are that few in that audience will have very many correct answers. Is Rio Muni (also known as Mbini) a river or a country? What is Burkina? Both are countries, but few Americans seem to know that and few could place them on a map. Fewer still could name the major kingdoms of West Africa before the European conquest, explain the reasons for the years of fighting and starvation in Sudan, or explain the history of the ethnic hatred that led to the recent genocide in Rwanda. Those of us who sometimes try to teach university students about the Dark Continent have come to realize that even the best students seldom have much prior knowledge of Africa.

Africa: A Biography of the Continent, by John Reader (Knopf, 752 pp., $35)

John Reader's almost encyclopedic introduction to Africa is most welcome, but if I had been an acquiring editor for a major trade publishing house when his original proposal arrived, I might well have fainted dead away. To the actual editor's credit, he apparently did not, and many readers will be grateful; but consider your reaction if an author proposed to write—in a single popular

Mr. Edgerton is a professor of anthropology at UCLA. Among his books on Africa are Like Lions They Fought, Mau Mau, *and* The End of the Asante Empire.

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book—a serious treatment of Africa's geology, its mineral wealth, the evolution of many of its life forms including the primates that were ancestral to man, the plant diversity of tropical rainforests, the fertility of Africa's soils, the evolution of mankind including such matters as bipedalism, thermo-regulation, and the origins of language, how climatic changes limited food supply, how elephants and farmers warred with each other, and how disease limited population. Be assured that this is but a partial list of topics. Reader's book also looks seriously at long-distance trade, the origins of agriculture (perhaps 70,000 years ago in southern Africa, not 12,000 to 15,000 years ago in the Fertile Crescent), the impact of the slave trade (20 million guns were shipped to Africa during the trade, with predictably violent consequences), the era of European settlement, African resistance to colonialism, and, finally, the turmoil surrounding African independence.

It is a myth that Africans lived in bountiful happiness before the European presence changed their lives.

Reader's treatment of this cornucopia of topics is anything but superficial. For every topic that I have familiarity with, he bases his presentation on the most authoritative sources, often quite recent and obscure ones. From ecological considerations that shaped human evolution, to the importance of bananas in African history, to Chinese exploration in East Africa (the voyagers brought a giraffe back to Peking in 1415), to the failure of democracy throughout the continent (there were more than seventy coups during the first thirty years of independence; the small country of Benin—formerly Dahomey—had six coups, five constitutions, and twelve heads of state during its first ten years of independence), he displays a virtuosity that cannot fail to impress.

Anyone who buys this book can expect not only a biography of Africa, as its subtitle promises, but a bibliography as well, and a remarkably comprehensive one at that. In addition to the attention Reader pays to the great array of topics mentioned earlier, he goes into depth on several matters. First, he devotes considerable space to the evidence that strongly suggests—but does not quite definitively prove, as he seems to imply—that humankind evolved in Africa alone and then spread over the world beginning some 100,000 years ago. His treatment of the topic is well informed and likely to be of strong interest to lay readers. He similarly looks closely at the opening up of Africa to trade across the Sahara and from overseas. He quotes awestruck Arabs and Europeans as they discovered the astonishing abundance of gold in Ghana and elsewhere along West Africa's "Gold Coast." He describes their wonder at the masses of gold ornaments displayed by the Asante, for example, but does not mention the singular fact that each year they melted almost all of them down and created new works of art. He is effective in evoking the pathos of the slave trade and provides a balanced appraisal of its impact on African societies. He is especially good with the pivotal events surrounding Africa's independence, particularly the events in the Congo that eventually brought Mobutu to power. And finally, as a longtime resident of Africa, he deals sensitively but candidly with the corruption and autocracy that have strangled democracy in all but a handful of nations. In all of this, he manages to give voice to a wide range of opinion, and yet he is rarely opinionated himself, a notable achievement in a book of this length and complexity.

Still, he does not cover everything about Africa, and, strangely, what he most neglects are the ways of life of ordinary Africans, now and in the past. To his credit, he does note correctly that the idea that Africans lived in bountiful happiness before the European presence changed their lives is a myth. Even for peoples who lived in small societies by hunting and gathering, life was seldom easy and could be arduous and short. But he does not describe the impressive kingdoms of West Africa in any depth, nor does he tell us how Africans lived in villages or pastoral camps over much of the continent. We do not even learn a great deal about the lives of modern Africans as they try to cope with today's world. Perhaps this is my anthropological bias showing, but I would have praised this book even more effusively if Reader had given more space to African people and their lives. This may have been a choice born of necessity, because the book is long without such information, and it is obvious that Reader cares deeply about Africa, its past and its future. In Nelson Mandela, he sees hope for all humanity, and he quotes the words of a Nobel Prize–winning novelist, the Nigerian Wole Soyinka: "Rwanda is our nightmare, South Africa is our dream." For the people of Africa, I can only hope that this is one dream that comes true. Anyone who peruses John Reader's masterly book will understand why. □

Those Darned Islands

JOHN J. MILLER

Empire by Default: The Spanish–American War and the Dawn of the American Century, by Ivan Musicant (Holt, 740 pp., $35)

AT 5:22 A.M. on May 1, 1898, Commodore George Dewey uttered words that would go down in American history: "You may fire when you are ready, Gridley." The Spanish– American War began at that moment. By noon, Dewey had smashed the Spanish navy's Pacific fleet at Manila Bay.

In Washington, D.C., President William McKinley was excited and perplexed. "When we received the cable," he wrote, "I looked up [the Philippines'] location on the globe. I could not have told where those darned islands were within two thousand miles!" He had approved the attack, but had not considered its consequences.

Mr. Miller is NR*'s national political reporter and the author of* The Unmaking of Americans, *just published by The Free Press.*

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In 1796, George Washington warned his country against foreign entanglements. Americans essentially followed his advice for more than a century. But with the onset of what John Hay called "the splendid little war"—whose centenary is being marked this year—the United States became involved on the international scene in ways from which it has yet to become disentangled. Case in point: Puerto Rico may become the 51st state because the United States still has not decided what to do with this piece of territory annexed after the Spanish–American War.

The debate over precisely what happened to the Maine*—Did it strike a mine? Did a fire start in the coal bunker?—never has been settled.*

Ivan Musicant doesn't discuss this legacy of the Spanish–American War in his detailed book, *Empire by Default*. But he does deliver a blow-by-blow account of that conflict. He begins with historian Frederick Jackson Turner, who observed in 1893 that the American frontier had come to a close. As a result, writes Musicant, Manifest Destiny went abroad.

For more than a generation, many Americans (especially in the antebellum South) had looked to Cuba and seen the lonely, vulnerable outpost of a fading colonial empire. By the 1890s, however, the idea of annexing the island was eclipsed by sympathy for Cuban rebels who wanted autonomy from Spain. President McKinley was rabidly anti-expansionist, but like most Americans he hoped that Spain would abandon Cuba. He once even considered trying to purchase Cuba's freedom for $150 million.

Any such peaceful resolution through diplomatic channels soon became impossible. On the night of February 15, 1898, the U.S.S. *Maine*, visiting Havana at the request of the American diplomatic representative to Cuba, sank in a mysterious explosion. Of the 355 sailors on board, 260 died from the blast, almost all of them immediately. Musicant writes: "Washington, official and otherwise, assumed a dark, foreboding mood of calamity, not experienced since the blackest days of the Civil War, nor again until December 7, 1941."

The debate over precisely what happened to the *Maine*—Did it strike a mine? Did a fire start in the coal bunker?—never has been settled, although most of the available evidence now points to an internal mishap. Musicant, unfortunately, discusses only contemporary accounts. A report on more recent research, especially Admiral Hyman G. Rickover's 1976 analysis, would have made a useful appendix.

One witness to the blast saw no eruption at the waterline, and no dead fish floated to the surface afterward—events that would have indicated the detonation of a mine. Moreover, the wind and sea were calm that evening, making it unlikely that the *Maine* crashed into an explosive device. Divers found that the ship's destroyed hull plates were bent outward, suggesting an explosion from within. Finally, the Spanish had no real motive for sabotage.

Popular sentiment in the United States, whipped up by a jingoist press, wasn't ready to weigh the evidence carefully. "The destruction of the *Maine* did not plunge the nation immediately into war," says Musicant, "yet it did create an atmosphere in which escape from war was virtually impossible." McKinley desperately wanted to avoid a shooting war with Spain, but was powerless to do so. Musicant describes him as a well-meaning but weak leader who lost much sleep and privately wept over the impending fight. In April, the United States declared war.

"Spain had no chance of winning," writes Musicant. It certainly didn't lack soldiers—nearly 200,000 veterans were stationed in Cuba. But they were tied down by the rebels, and the entire Spanish military suffered from poor leadership. Its navy stupidly hid in the Santiago harbor when it could have bombarded a city on the United States' Eastern Seaboard and tested our country's willingness to fight. In the Pacific, the U.S.S. *Charleston* sailed into the harbor at Guam nearly two months after Dewey's victory at Manila Bay.

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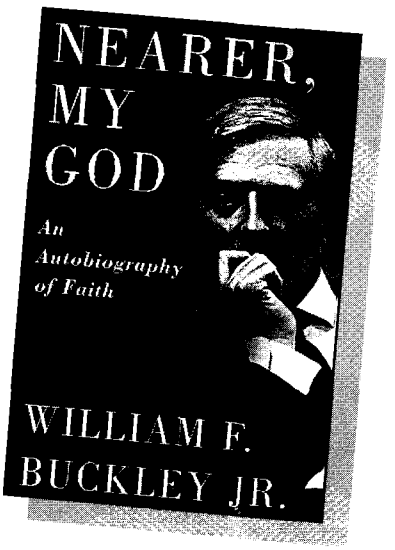

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The tiny Spanish contingent there didn't even know a war was on. It surrendered immediately.

The United States had its own difficulties, from a small standing army at the start of the conflict to constant provisioning problems. Food and tobacco were in short supply. According to one war correspondent, "Those who could not get tobacco at all smoked dried grass, roots, and dry manure." Soldiers were also forced to wear "beastly uncomfortable" flannel shirts, even though they were fighting in the Cuban jungle during the hottest months.

Yet they fought well, capturing first Guantanamo Bay and Santiago in Cuba, and then Puerto Rico. Teddy Roosevelt's 1st Volunteer Cavalry, a/k/a the Rough Riders, became the stuff of legend for storming up the San Juan Heights. Contrary to popular myth, however, they did not actually capture San Juan Hill. That honor went to a segregated regiment of blacks, whose heroism traditionally has been overlooked because of their race.

In the Treaty of Paris, signed on December 10, 1898, Spain relinquished sovereignty in Cuba, ceded Puerto Rico and Guam to the United States, and sold the Philippines to the United States for $20 million. With the exception of Guam, each of these territories has created its own unique headaches for the United States over the last century.

The Spanish–American War offers any author a set of thrilling events and a cast of compelling characters. Musicant, however, is not a natural storyteller. He reveals everything he knows about the war rather than what readers need to know about it—the book could have been greatly improved by cutting it by half. Musicant also neglects to provide an overview of what else happened in 1898, or why the war mattered beyond turning Roosevelt into a hero.

Many of the war's participants understood that they were at a historic turning point. Shortly before sailing to defeat, for example, a Spanish naval captain heard his ship's bugle sound: "It was the signal that the history of four centuries of grandeur was at an end and that Spain was becoming a nation of the fourth class." At that same moment, the United States became a nation of the first class, and inherited a set of first-class problems. □

Achievement Gap

RICHARD J. ELLIS

THESE are tough times for liberals. In the 1920s and 1930s the American Right and Left, Hoover no less than FDR, fought fiercely over who deserved to be counted as the true liberals. Today neither the Right nor the Left can say enough bad things about liberals. On most university campuses, if you call someone a liberal you are saying he is a wimpy bourgeois apologist, little better and maybe worse than a conservative. In the political world, you are saying he is for big government, high taxes, and loose morals.

One of the most endearing things about the famed political philosopher Richard Rorty is that he is the only man of the Left I know who proudly identifies himself as a "bourgeois liberal." He is assailed from the Right as an irresponsible liberal relativist and from the Left as a complacent Cold War liberal; it is a puzzle that he has any defenders at all. His new book, *Achieving Our Country*, is not likely to make him any more popular with either the Left or the Right.

Achieving Our Country: Leftist Thought in Twentieth-Century America, by Richard Rorty (Harvard, 159 pp., $18.95)

Dr. Rorty offers to the Left, and the academic Left in particular, some strong medicine. Rorty's diagnosis is that in the 1960s things went horribly wrong. An American Left that had previously identified with what Herbert Croly called "the promise of America" now entered what Jonathan Yardley terms the "America Sucks Sweepstakes." Feelings of national pride, which in the past had fueled the great American liberal reform movements, gave way to a loathing of America. The history of our country became a narrative of atrocities—the enslavement of African Americans, the extermination of Native Americans, and the rape of old-growth forests. Disgusted by the evil of America, alienated leftists salvaged their own purity by withdrawing from electoral politics, retreating to arid, abstract theorizing that lacked any connection to real life. This disengagement from practical politics fed on itself, producing further "theoretical hallucinations," such as the specter of a "hegemonic discourse" that co-opts all dissent and imprisons each of us.

With non-Marxists like Richard Rorty, one wonders what need there is for the genuine article.

So far, so good. But before slapping the good doctor on the back and congratulating him on his sensible advice, it is worth taking a closer look at his diagnosis and prescription. For the sober doctor turns out to harbor more than a few delusions of his own.

Readers of *The New York Times Magazine* may recall an essay Rorty penned in the fall of 1996 in which he imagined a future America based on "fraternity and unselfishness" emerging out of the ashes of "the Dark Years" (2014–2044), a period in which he sees America succumbing to military rule after a devastating "war of all against all" has ruined the country. Last summer, in the journal *Lingua Franca*, Rorty recommended Sinclair Lewis's *It Can't Happen Here*, warning that Lewis's scenario of a fascist takeover in the United States "could easily be played out in the course of the next decade."

These same apocalyptic fantasies are on display in *Achieving Our Country*. As Rorty sees it, we are marching inexorably toward an "America divided into hereditary social castes," an "Orwellian world" in which an "Inner Party"—that is, the "international, cosmopolitan

Mr. Ellis is a professor of politics at Willamette University in Salem, Oregon. His new book, The Dark Side of the Left: Illiberal Egalitarianism in America, *was just published by the University Press of Kansas.*

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super-rich"—run the country and an "Outer Party," the next richest 25 per cent, provide the legitimation that disguises rule by the Inner Party. Their job will be to distract the remaining 75 per cent ("the proles") from their misery and despair by keeping them busy with "ethnic and religious hostilities . . . debates about sexual mores," and various "media-created pseudo-events." This is the same Rorty who mercilessly skewers the academic Left for its infatuation with crude Marxism. With non-Marxists like this, one wonders what need there is for the genuine article.

If Rorty's analysis of the country's economic and political situation is crudely simplistic, what he has to say about the Right amounts to little better than rank prejudice. According to Rorty, "the Right never thinks that anything much needs to be changed; it thinks the country is basically in good shape." Try telling that to conservatives who want to abolish the IRS or affirmative action or who want to tear down trade barriers between nations or stem the tide of immigration.

As Rorty sees it, those on the Right harbor no concern for justice nor any sense of the potential of America. The Left, he blithely asserts, "by definition, is the party of hope." For only the Left "insists that our nation remains unachieved." By this definition, though, Ronald Reagan surely must be the greatest leftist of the late twentieth century and Jimmy Carter the Right's most dedicated champion.

For all of Rorty's sensible advice to the academic Left (stop following Foucault, stop being sentimental about the Bolshevik Revolution, stop hating your country, and stop sneering at reformist liberals), he himself walks, stumbles, and indeed leaps into many of the same traps he is busy warning the Left against. Rorty faults the academic Left for its intolerance of reformist liberals, but he exhibits the same harsh intolerance for those on the Right, whom he consistently portrays as smug, self-satisfied pawns of the rich and powerful. Rorty indicts the Left's Manichaeanism but then constructs a world in which those on the Left wear white hats and those on the Right wear black hats. He criticizes the Left for its crude understanding of political reality and then presents his own analysis of politics and economics, which is often breathtakingly simplistic.

It might be said in Rorty's defense that in order to deliver his bracing message to the academic Left, he needed to bolster his leftist credentials. Revealing that he favors national health insurance, that his maternal grandfather was the great Social Gospel theologian Walter Rauschenbusch, and that he was raised a loyal Trotskyist helps, but not nearly as much as trashing the Right. But by pandering to some of the Left's worst instincts this book fails to provide the Left with a reliable guide on how to get back into the political game. Demonizing those on the Right as unprincipled, anti-intellectual lackeys of the super-rich is hardly a basis on which to build a more effective Left or a better America. □

History Repeats

MARK G. MALVASI

IT IS a ceaseless lament among historians that Americans are indifferent to their history and, as a result, ignorant of it. But the historians are wrong. As he relates in *Confederates in the Attic: Dispatches from the Unfinished Civil War*, Tony Horwitz has discovered in the South an assortment of men and women who are consumed by the past.

Confederates in the Attic: Dispatches from the Unfinished Civil War, by Tony Horwitz (Pantheon, 416 pp., $27.50)

Take for instance the hard-core Civil War re-enactors from Virginia who insist on absolute fidelity to the 1860s. They not only adopt the clothing and speech of the mid nineteenth century, but also urinate on their buttons to give them the authentic appearance of oxidized brass, sleep out-of-doors on cold nights with only ragged blankets to cover them, willingly suffer the myriad hardships of camp life, and even starve themselves to achieve "the gaunt, hollow-eyed look of underfed Confederates." Thereby they not only escape for a time the complexities of the twentieth century, but also recover a sense of the difficulty of life before the modern age. "Doing this," says one, "is a way of making things a little hard for a change."

Horwitz encounters other Southerners of equal fervor, among them the North Carolina couple who have made a religion of Southern history. "We were raised Methodists," they tell Horwitz. "But we converted to the Confederacy." A textile worker, also from North Carolina, reads books about the war at night by the oven light in his mobile home. In his search for the grave of his Confederate great-great-grandfather, he seeks a connection with the past "that I can reach out and grab hold to." For him, the past is "bigger somehow" than the present.

Horwitz is mistaken in attributing to mere nostalgia this sometimes odd, sometimes poignant, and sometimes idolatrous devotion to history. The sentiment called "nostalgia" arises from a painful, nearly hopeless recollection of some object or person. The Greek origins of the word convey a distance in space rather than in time. Moreover, the veneration these men and women exhibit is not directed toward a past they could have experienced themselves. And their efforts to rekindle the past are not painful but, on the contrary, fill them momentarily at least with pleasure and exaltation.

Horwitz nonetheless describes and examines their desires, emotions, and attitudes with admirable care and sympathy. Along the way, he reveals a revival of interest in history nationwide, not just among Civil War buffs. This is heartening, even though many Americans satisfy their newfound appetite by consuming romanticized fiction, television mini-series, and popular films. For a moment I allowed myself to hope that Horwitz had also realized that simple people are never simple, and in describing what ordinary Southerners feel, think, believe, and do had come to see them as human beings rather than as stereotypes or caricatures. Alas, my hope was premature.

Mr. Malvasi teaches history at Randolph-Macon College. He is the author of The Unregenerate South: The Agrarian Thought of John Crowe Ransom, Allen Tate, and Donald Davidson *(Louisiana).*

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A book that begins as a thoughtful and entertaining investigation of the enduring Southern fascination with the Civil War becomes an extended, and not entirely friendly or fair, survey of the racial views of white Southerners. Although Horwitz is rarely, if ever, condescending toward them, his white Southerners, so individual at the outset of his journey, become increasingly one-dimensional and unsavory as he proceeds. He wonders at the origins and persistence of their "subterranean rage" against blacks. He recoils from those Southern whites, especially women, for whom the Confederate flag now stands for a "generalized 'F— You,' a middle finger raised with ulceric fury in the face of blacks . . . and authority in general."

'We were raised Methodists,' say a couple from North Carolina. 'But we converted to the Confederacy.'

Is it possible, Horwitz asks, to uphold the heritage of Confederate honor and courage without also upholding the heritage of Southern racism and discrimination? The answer, he believes, is no. He arrives at this view after participating in a re-enactment of the Battle of the Wilderness as a Confederate recruit. He recalls "feeling confused and ashamed. . . . Flags and uniforms weren't just toys for adult boys to play with, nor could their symbolism be shed like so much dirty clothing."

Confederates in the Attic is thus a meditation on guilty consciences, or consciences that Horwitz thinks ought to be guilty. He is right to argue that white Southerners must exorcise the legacy of slavery and racism that has troubled the history of the South. He goes too far when he suggests that they ought also to disavow their ancestors and repudiate their past.

Like that of many Americans, Horwitz's fascination with the Civil War began when he was a child, looking over his great-grandfather's shoulder as the old man with failing eyesight studied an enormous book of Civil War sketches through a magnifying glass. Later, Horwitz painted on the walls of his attic bedroom a pictorial narrative of the war. By the time he had come to write *Confederates in the Attic*, however, he was prepared to take St. Paul's advice and "put away childish things." Perhaps, he thought, "experiencing the full imaginative appeal of the Civil War," as Robert Penn Warren once wrote, is no longer part of "the very ritual of being American."

Knowledge and understanding of the "Lost Cause" is now itself being lost to an entire generation of Southerners. Despite his own passion for the war, Horwitz welcomes the prospect: "In this sense ignorance might prove a blessing. Knowing less about the past, kids seemed less attached to it. Maybe the South would finally exorcise its demons by simply forgetting the history that created them." How sad that a sensitive writer like Mr. Horwitz should believe such a thing. If it should come to pass that Southern schoolchildren no longer learn, know, or care about their history, or that Southerners young and old seek to forget their ancestors or come to remember them only with shame, we shall have witnessed nothing less than a successful campaign to deprive a people of their heritage, their culture, their civilization, and their identity. That occurrence would be as much an atrocity as was the denial of legal and civil rights to blacks. □

Judge Not

MARK MILLER

Out of Order: Arrogance, Corruption, and Incompetence on the Bench, by Max Boot, foreword by Robert H. Bork (Basic, 252 pp., $25)

DURING my first week of law school, our civil-procedure professor gave the class a practical lesson about litigating cases in federal court. Any question beginning with the words, "Can a federal judge . . . ?" she told us, will always be answered, "Yes." In counting the ways the American justice system has failed ordinary citizens, it is easy to focus on lawyers who invent racist conspiracies or squeeze millions out of the economy through coercive class-action suits. But lawyers can get away with only as much as judges will allow. Judges are the real source of decline in our justice system, as Max Boot of the *Wall Street Journal* argues, and we should all take a renewed interest not only in the identity of those sitting on the bench, but also in how they got there and what they are doing—from Supreme Court Justices to local trial judges.

Mr. Boot's *Out of Order* suggests that my professor had it slightly wrong, however—the emphasis, at least. The federal bench is barely half of the equation. Indeed, the strength of Boot's book lies not in recounting the familiar jurisprudential excesses of the Warren Court et al., but in revealing what kind of damage state judges can do to the legal system and the lives of those who rely on it for justice.

State judges, Boot suggests, "are arguably more important to the future of the legal system than the nine members of the Supreme Court." That importance derives both from the sheer volume of cases that come before them and from the low visibility—and hence accountability—that state judges enjoy. And as Mr. Boot shows, the low visibility of these courts is often matched by appallingly low qualifications on the part of the judges who sit on them.

A large portion of the problem is the way state judges are chosen: usually through election campaigns where politics counts for more than judicial temperament—and politics in this context often includes overt financial backing from local plaintiffs' attorneys. It is not unusual for state and local judges to come straight out of rich plaintiffs' firms, and then preside over cases litigated by their former colleagues. Boot notes that one judge actually tried cases brought by his former partners while he continued to receive law-firm profits under his partnership agreement.

Mr. Miller, a writer in Washington, D.C., is a recent graduate of the Georgetown University Law Center.

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Boot offers a veritable litany of judicial nightmares coming out of the state courts: a judge in Cleveland jailed for selling crack; another who upheld a nine-figure personal-injury award to a plaintiff who admitted falling asleep at the wheel; and, of course, the Los Angeles judge who allowed the murder trial of the decade to become an inquisition of the LAPD. Although these may be isolated cases, they are hardly uncommon. And to underscore his point, Boot documents larger trends as well, for example how Alabama has made coercive class-action settlements one of the state's major cash crops.

My one quibble with Boot's discussion of the Alabama courts is that he omits one of my own personal favorites. Judge Eddie Hardaway in Greene County is sought out by plaintiffs' attorneys all over the country for being one of the most lenient class-action gatekeepers in a state full of brazenly pro-plaintiff judges. Class "certification" is the point of no return for product-liability defendants—once individual plaintiffs are permitted to litigate as a class, their lawyers can use the threat of a potentially huge aggregate verdict to force a settlement. Judge Hardaway seems to be the hardest-working man in this business; according to recent congressional testimony, he certified almost as many class actions last year as did all the federal judges in the country combined.

As Max Boot's many examples suggest, lives and fortunes ride on the integrity of individual judges. My professor's remark about federal judges was intended to teach a group of law students about how to work within a system that often lacks integrity. Max Boot urges us to do something more fundamental: to demand judges for whom integrity is a primary concern. □

One judge upheld a nine-figure personal-injury award to a plaintiff who admitted falling asleep at the wheel.

FILM

Rappers and Whisperers

JOHN SIMON

TWO great stars, two heartthrobs, are coming out simultaneously with what may be their most ambitious projects: Warren Beatty with ***Bulworth*** and Robert Redford with ***The Horse Whisperer***. Neither movie strikes me as very good, but the latter is at least inoffensive.

The parallels are noteworthy. At 61, both men are entering the last decade in which one can normally be a heartthrob. Both men are trying to convey ideas with their movies, to make more than entertainment—perhaps even art. And both have profiles running concurrently in important publications: Beatty in *The New York Times Magazine*, Redford in *The New Yorker*. One is dark and still boyish, the other blond and still boyish.

Bulworth is the story of a California senator seeking re-election. (Redford made such a movie years ago, *The Candidate*, and a good one it was.) Senator Jay Billington Bulworth starts out being a Clintonian middle-of-the-roader mouthing uplifting platitudes: we see him, alone, watching his campaign ad on the small screen, then burying his head in his hands. As well he might, hearing himself uttering over and over stuff like "We stand at the doorstep of a new millennium," as if that doorstep were covered with glue, and breaking loose a sticky business.

As the pictures on his wall indicate, Senator Bulworth was a liberal during the Sixties, hanging out with the likes of Bobby Kennedy and Warren Beatty. Well, he has now turned conservative,

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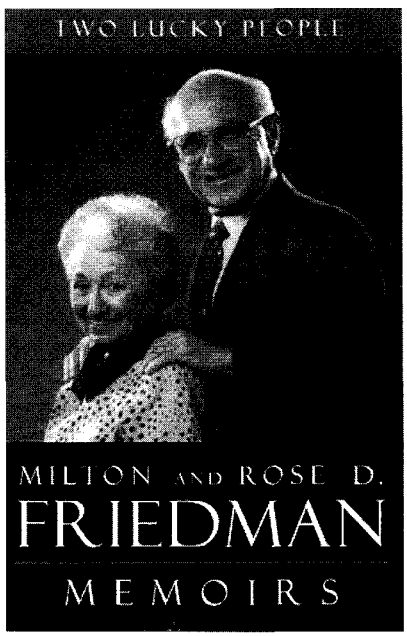

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and has inveighed against welfare cheaters and such, but he is still not satisfied. He makes a deal with an insurance-industry sleazeball: in exchange for foiling some anti-insurance-company legislation, he gets a juicy ten-mil life-insurance policy payable to his daughter. Then, with a loathsome hit man, he takes out a contract on someone whose snapshots are in a manila envelope: himself. He is to be terminated when he gets back to Los Angeles (hit men seem to reside only in New York) for the final stage of his campaign.

Back in California, Bulworth buzzes around with his aides—one fat and slimy, one small and nerdy—and, figuring he has nothing more to lose, starts speaking out. In a black church, he makes caustic remarks about blacks. Before an audience of movie moguls, he makes fairly strong anti-capitalist and anti-Semitic remarks. And herewith the movie is in serious trouble. The big media can take only so much political incorrectness, and promptly Bulworth must backtrack. The Jewish capitalists are dropped as a theme, and we concentrate on the black question. "The real issue," Beatty is quoted as saying in the *Times Magazine* article, "is the disparity of wealth in this country. And that gets unattended and unacknowledged."

So how does he attend to and acknowledge it? By making Bulworth turn pro-black, mingling with, understanding, and espousing a supposedly prototypical black family: that of Nina, a beautiful young woman he has spotted in his audience, and whom he takes into his limousine along with two other young black women—rappers, whose routines he picks up.

But back to Nina. As played by Halle Berry, this black has gorgeous, perfectly Caucasian features and a barely milk-chocolate skin; she could be a Park Avenue debutante who just sunned herself a bit too intensely at Boca Raton. Even her speech is high-toned enough for a Smith College valedictorian, and when she is about to go into a clinch with Bulworth in the back seat of his limo, she launches instead on an oration—a lengthy, political one of the kind that even a Smith valedictorian couldn't deliver without a typescript or, better yet, a teleprompter. All the characters tend to speechify instead of speaking, but this is the most incredible example of it. Anyone in his right mind would shut her up with a kiss or throw her out of the car. Bulworth listens enraptured.

Of course, Nina turns out to be the lure who is supposed to coax Bulworth to the site of his doom, which someone else will execute. But the situation changes, and now Nina must be both seductress and executioner. She rebels, or does she? Then she falls for Bulworth, and then . . . suffice it to say that this is part screwball comedy, part Strangelovian absurdist satire, and part impassioned radical statement, a hard cocktail to mix or drink.

Two great heartthrobs are coming out simultaneously with what may be their most ambitious projects.

Despite the black family's being represented as both charming and sinister, the charming wins out. Before you know it, Bulworth, who has already been talking in jingles, starts dressing like the blackest of black rappers and so shows up in the TV studio to debate his political opponent, a WASP suit if ever there was one. To the interviewer's horror, Bulworth delivers his pro-poor-black and anti-fatcat-white message in perfect rap. 'Nuff said.

LIKE Beatty, Redford has also been directing, although, unlike him, not writing scripts. Whereas Beatty has played men of action on both sides of the law, he is thought of primarily as a lover boy; Redford, though he has always been a screen lover, is more often viewed as the man of action on either side of the law. For the novel *The Horse Whisperer*, Nicholas Evans, its British author, was paid hefty sums by both his publishers and Fox (for the movie rights) before the book was more than half written. And Redford just had to play Tom Booker, the Montana cattle rancher and famous horse doctor—or rather, horse psychotherapist—whom Annie MacLean, an Eastern magazine editor, seeks out after her 13-year-old daughter, Grace, in a freak riding accident, loses her best friend, her best friend's horse, her right leg, and, probably, her own horse, Pilgrim, badly scarred physically and mentally. Grace herself has turned morose, and thinks both she and her horse should have been put down.

Although Annie's brashness made Booker at first disinclined to take on Pilgrim, moved by mother and daughter's long trek to Montana with the horse (somewhat improbable, that journey), and the girl's artificial leg, he agrees. The treatment proves lengthy, and the MacLeans are invited to move into an unused cottage by the Bookers, who include Tom's brother, Frank, Frank's wife, Diane (Dianne Wiest, now of barrel size, and an unlikely Westerner), their children, the occasionally visiting mother of Tom and Frank, and an unexplained white-haired old man. The movie was at various times four and three hours long, and is now well over two and a half, with an often rocky continuity. Its first screenwriter was Eric Roth, of *Forrest Gump* fame, who put in a lot of time, only to be superseded by Richard LaGravenese, best known for the even worse *Fisher King*.

The movie is vague about time. Montana restores Grace's spiritual health, and Annie doesn't even mind too much being fired because of her long absence. Back East, Robert, Annie's lawyer husband (Sam Neill), waits patiently, even though an attraction between Annie and Tom is evolving. Tom, who has never loved since his cellist wife died, is so in love with Annie, he doesn't even want to listen to the Dvořák Cello Concerto any more. Perhaps Thomas Newton's lush score is enough for him.

The film is, first, about the Montana sky and landscape, which Robert Richardson shoots often and grandly enough for fifty Marlboro commercials. Next, about horses, especially Pilgrim, enacted by six horses good enough to start equine Equity. Lastly about people, who, unlike Beatty's, talk very little. Many a question elicits only a long silence, whether pregnant or not would require a rabbit test to determine.

Typically, the screenplay had, for Tom and Annie, a one-copulation, two-copulation, three-copulation, and mountain-top copulation draft, but finally a no-copulation one was filmed. Robert comes to claim his wife and the by-now cured Grace and Pilgrim. I won't tell you the outcome, and you will have to guess which man Annie (the excellent Kristin Scott Thomas) chooses. Hint: people refer to the movie as *The Horses of Madison County*. □

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ON THE RIGHT / Wm. F. Buckley Jr.

At 7 P.M. Tomorrow You Will Hear . . .

NEW YORK, MAY 22

At an informal seminar of American overachievers an (uncharted) question arose: Is there such a thing as an American citizen of stature so great as to qualify him to command the attention of the public?

Flash back to August 7, 1974. A delegation of three legislators drove up to the White House to call on the President of the United States. They were Barry Goldwater, who ten years earlier had been his party's candidate for President, John J. Rhodes, the senior Republican in the House of Representatives, and Hugh Scott of Pennsylvania, a liberal Republican and Senate Minority Leader. What they said to President Nixon was that he had lost effective support in Congress, that the impeachment resolution would not be defeated in the Senate. The next day, Richard Nixon announced that he would resign from office.

That was a political confrontation, though it dealt also with constitutional and moral issues. Nixon had lied to the public and to his associates. He was being told by the high command of the Republican Party that his Presidency was without supporters—that he was now a mere figure.

It is entirely possible that the moment lies ahead of us when an analogous commission of one or more leaders will declare that the Presidency of Bill Clinton is over, except for the technicality that until he resigns, he continues to hold office.

In a Clinton situation, the message would almost certainly not be tendered by active political leaders, and almost certainly not by fellow Democrats serving in Congress. Granted, if the special prosecutor comes up with irrefutable evidence that Mr. Clinton told flat lies on the matter of plotting with Monica Lewinsky to beat the legal rap, then one could imagine, 24 years after that ghostly delegation gave the word to President Nixon, a comparable group—Sen. Daschle (D, S.D.), Congressman Gephardt (D., Mo.), Sen. Moynihan (D., N.Y.)—calling on President Clinton.

But this side of a smoking-gun consummation of the three investigations going on, one wonders—Is there anybody who could move the nation forward, if it were plain that Mr. Clinton had been immobilized? Is there anyone on the scene in America with such authority as, in days gone by, was exercised by de Gaulle, or Churchill? Would we, in such a situation, call on ex-Presidents?

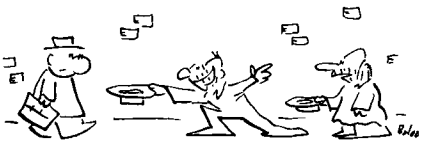
We do not have State Moralists, in the sense that, yes, we do have a State Poet. It's curious that when grave matters of moral concern are touched, one thinks primarily of political leaders as persons who can speak authoritatively. Well, President Reagan is ill, and President Bush might decline, given the historical record of his defeat by Clinton in 1992. But suppose that Jimmy Carter and Gerald Ford were to announce that they would make, at 7 o'clock the following evening, a joint declaration. Suppose then that Messrs. Carter and Ford called on Mr. Clinton to resign his office, for the good of the nation. Would their willingness to take this step have a decisive effect on public opinion?

If it is thought wiser to exclude anyone with any formal political affiliation, to whom would we turn? Billy Graham is widely thought to be the senior religious moralist in America, but he has the problem that he more or less forgave Mr. Clinton his sins before waiting for contrition; then too, as a religious figure, he would face the instinctive opposition of those who believe that churchmen should not opine on political matters.

General Colin Powell's name surfaces. He is a man universally respected, who through the strenuous political season of 1995–96 resisted all inducements to politicize his career. For doing that he earned enormous appreciation, even veneration—a man who had a genuine apparent chance to be President, but turned down what might have been a draft.

Would he step forward? If he concluded and the weighty community of American leaders concurred that the institutional and moral crisis was grave enough to call for a presidential resignation? It is reasonably expected that as a professional soldier, General Powell would be governed by the axiom that one does not engage in combat except when confident of victory. Would he need to be persuaded that his call would bear fruit? A call directed not so much to Mr. Clinton himself, but to the American people, a tocsin to alert the nation to a great danger?

He may have to ask himself that question some time soon. □



"You'll never last that way, kid—you've got to pace yourself."

New York, New York

NEW YORK, MAY 26

There's an interesting front-page situation in New York City. During the last election campaign, Mayor Rudy Giuliani promised the gay community that he would back city laws taking the full panoply of "rights" currently given to married couples and extending them to gays and lesbians living together, as also to unmarried heterosexual couples. City Council Speaker Peter Vallone, who is running for the Democratic nomination for governor, introduced legislation to that end, and Mayor Giuliani endorsed it. On Sunday, John Cardinal O'Connor opposed the prospective law. He made it a point to say that he hardly believes that any laws should be enacted merely to accommodate sectarian doctrines, but—he argued—what he was speaking out in behalf of is not peculiarly Catholic. "It is imperative, in my judgment, that no law be passed contrary to natural moral law and Western tradition by virtually legislating that marriage does not matter."

Messrs. Giuliani and Vallone are both Catholics, and no more deterred in this case by the preachments of Cardinal O'Connor than on the subject of abortion. Really, there are grounds for near-universal resentments on such matters. Many Catholics—especially among politicians—are manifestly undisturbed by endorsing measures contrary to Catholic teaching, distressing the faithful, though not so much as to cause them to vote against the delinquents. And Protestants are presumably distressed that many positions are thought to be matters of concern only to Catholics. If Christian teaching is the dominant consideration, why should Protestants be less disturbed than Catholics by the weakening of family ties?

Surely what needs to be sorted out, in the matter of the Vallone–Giuliani proposals, is the question of the legal standing of people who . . . live together.

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We begin by acknowledging that unmarried people living together are by definition not living as man and wife. Question: Should they be accorded identical standing to those who are married?

Well, what *are* the rights accorded to man-and-wife? Most conspicuous is the umbrella of the term "family." If John works for Chase Bank and Jill, his wife, falls ill, John's "family" health policy takes care of Jill's bills. But what if John/Jill are simply living together and Jill doesn't have health insurance of her own?

On the gay front, the same question arises. IBM stepped forward a year or so ago declaring that unmarried couples would be extended the same treatment as married couples. This would seem to mean that if John suddenly died, constant companion Jill would get his pension for the rest of her life. And if you are dealing with Andy who lives with Simon, the partner would receive the benefits of the principal, even though "marriage" has not been undertaken between them, for the most obvious reason that a marriage is by definition the union of a male and a female.

What Cardinal O'Connor is saying is that institutional arrangements should encourage the one relationship, not the other. What the modernists are saying is that what binds John and Jill, unmarried, is mutual affection, as also what binds Andy and Simon. Why should they not enjoy the same privileges as a married couple?

The answers to that question are moral and social. If society wishes to distinguish between living arrangements deemed useful and others deemed less than that, it follows that different accommodations are made. If marriage is thought socially important, appropriate legal and corporate attitudes are adopted. Society has traditionally thought of married couples as critically important. For one thing, they perpetuate the race. For another, marriage is taken to be symbolic of certain attitudes judged beneficial to society. Marriage invokes such things as loyalty, shared sacrifices, enduring relationships. That is one reason for the institution of divorce. Divorce is a legal and institutional act of dissociation. There is no complement to divorce when Jill simply decides to leave John, or Andy, to leave Simon.

The modernists are saying that nobody should be saying that A is preferred to B. Well, nobody—including Cardinal O'Connor—is saying that the law should forbid any two (or, for that matter, three) people from sharing quarters. What he is saying is that people who aren't married shouldn't expect to be treated identically with those who are. What's the matter with that? On the other hand, maybe we should simply eliminate marriage. Why not? □

American Powerlessness?

NEW YORK, MAY 15

Alexander Chancellor, the British journalist, has collected for *Slate* Enterprises journalistic reaction to the events of last week. The French press was "indecently jubilant" in its response to Prime Minister Netanyahu's rebuff to President Clinton in the Middle East negotiations. Here is some of the festoonery of that jubilation. From the liberal *Libération*, front page: the word "humiliates" appears in red. The headline on page 2 was: "Netanyahu: The Offense Done to Bill Clinton." On page 3, "America Struck by Powerlessness." An editorial said that "the long premeditated snub inflicted on Clinton by Netanyahu is particularly revealing of the inability of the United States to get itself listened to, even by its closest allies." The (relatively) conservative Paris paper, *Le Figaro*, headlined, "Netanyahu Defies Clinton." Its editorial was titled, "American Powerlessness."

It spoke of the difficulty of quarreling with Israel a mere six months before a national election, but spoke also of another factor. "Politically weakened by the interminable inquiry into his escapades, Bill Clinton cannot permit himself to open a new front." One wonders whether the editorial writer pondered whether that sentence should have read, "Politically weakened by the inquiry into his interminable escapades . . ." People still insist that Flowers–Jones–Lewinsky–Willey et al. have no bearing on the performance of the President's duties.

And of course that was also the week in which India tested its nuclear capacities. Mr. Clinton spoke out immediately. He has this time around the advantage, in threatening sanctions, that some of these are specified under the law. Granted, that was also the case in the matter of human rights in China. Mr. Clinton—remember? —chastised President Bush for being too sleepy on the matter of human rights and promised that he would invoke sanctions if the relevant State Department committee reported No Progress. The committee reported No Progress in 1992–93—but Mr. Clinton waived sanctions. As he did the following year, and the year after that—and eventually opinion consolidated that to suspend trade with China in fact wouldn't much help the cause of human rights there.

Now the President is being counseled on the matter of the effect of these proposed sanctions on India. We don't give any economic aid to India that amounts to anything (unlike Israel, which heavily relies on such aid). But the law lists other sanctions, including a freeze on any bank loan to the Indian government. Such a freeze, if heavily enforced, could cause problems, forecasters say. But what can't happen is any retroactive nuclear untesting. It isn't as if India had seized a hostage and, after contemplating threatened sanctions, could give up the hostage. India has made its point, and China and Pakistan heard the explosion very distinctly. New Delhi came on then with pacific noises, to the effect that it had no intention of building nuclear weapons. And there is even a whisper that India might proceed to sign the non-proliferation treaty.

The point is of course that India has acted out its defiance, and, by the way, the new government is deliriously received by the Indian people. They tend to do that kind of thing. Forty years ago Pandit Nehru received Khrushchev in the stickiest years of the Cold War—at about the time Khrushchev was presiding over the liquidation of the freedom fighters in Budapest. He was mobbed by delighted Indian crowds. Nehru's successor Mr. Vajpayee is similarly adulated.

Now Netanyahu by no means represents all the people of Israel. The country is deeply divided. The Jewish-Italian journalist Arrigo Levi, whose opinions carry weight, concluded in the *Slate* survey that "the loss of all hope by Arafat and the Palestinians could lead to a new 'catastrophic' war in which biological and chemical weapons might be used." So Clinton's stand against Netanyahu cannot be said to be a stand against Israel. In India, the people are exultant because of a display of technological prowess; but also, they take that pleasure (which is near universal) of thumbing one's nose at the superpower.

The future of Israel can be said to be in U.S. hands, but the government of Israel is not America's to decide. Yet the policies of that government should reflect common objectives. The strategic balance of power in Asia isn't ours to decide, but a superpower should be able to draw strategic satisfactions from that brawn that tempts so many to arrant exhibitions of independence. It matters a great deal that they are making sport out there of the failure of U.S. foreign policy. □

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THE MISANTHROPE'S CORNER

FLORENCE KING

"HER voice was ever soft, gentle, and low—an excellent thing in woman." Shakespeare never saw an Alice Faye movie but Lear's tribute to his daughter Cordelia perfectly describes the actress who died May 9 at the age of 86.

Living in the Madonna era would be unbearable if I didn't remember Alice Faye. Her 1940s musicals set in the Gay Nineties and World War I were my favorite movies, not only for their foot-tapping tunes but for their effect on my seatmate. For once Granny did not get a chance to jab me in the ribs and whisper "She's got consumption" or "She's losing her mind." The only tragic event in an Alice Faye movie was the requisite interlude of boy-loses-girl, but since the characters were always in vaudeville the show had to go on. Hearing the songs she remembered and seeing the fashions she had worn kept Granny's mind out of the grave for the whole show.

There were two Alice Fayes but the first was before my time. When she arrived in Hollywood in 1934 they made her a Jean Harlow clone with platinum blonde hair but the effect was all wrong. Harlow was the bad girl with a heart of gold but Faye suggested an intriguing contradiction at once less and more: a good girl with a heart of gold. As balancing acts go, this one is almost impossible to manage without becoming cloying or ridiculous, as Doris Day would later prove, yet it was the elusive essence of Alice Faye: she was the girl men could imagine themselves respecting in the morning.

By the time I remember her the studio was letting her wear her natural honey-blonde hair and showcasing her rare quality of choosy sensuality in period musicals. Her pretty but not beautiful face framed in big flowered hats made her believable as the girl from a bygone age that men called a "peach" and a "corker." She starred as Lillian Russell in the biopic of the Gay Nineties legend with Edward Arnold as Diamond Jim Brady, but her best movies were vaudeville sagas in which she played the good-sport singer to a pair of songwriting partners played by John Payne and Jack Oakie or Tyrone Power and Don Ameche.

Her singing voice, like her speaking voice, was described as "husky" and "throaty." After seeing her in *Alexander's Ragtime Band* the famously difficult Irving Berlin said he would rather have her introduce his songs than anyone he knew. She had a tangible effect on movie audiences. I remember the shuffling vibration as patrons tapped their feet in a carpeted version of the old softshoe when she sang "On Moonlight Bay" in *Tin Pan Alley*. She got another impromptu response later in the same movie. It was about World War I songwriters but it came out in 1941 when we knew we would soon be in World War II. The moment Faye started belting out "America, I Love You (and There're a Hundred Million Others Like Me)" a palpable electricity filled the theater and exploded in applause when the last note ended.

Most women can't put across a patriotic song. Kate Smith had a better voice but Alice Faye brought something to four-four tempo reminiscent of Nora Bayes. Her signature song, however, was "You'll Never Know" from *Hello, Frisco, Hello*. It also had a tangible effect I've never forgotten. The usher had sat down across the aisle from us to watch the scene; as she sang the line, "You went away and my heart went with you/I speak your name in my every prayer," I glanced at him and saw that he was crying.

Alice Faye's last public appearance was an interview six years ago on American Movie Classics channel which was re-run last week. In contrast to other aged actresses with their orange hair and skin stretched so tightly they can barely open their mouths to speak, her hair was frankly white and her face frankly unlifted. She had kept her figure but it was an old lady's rawboned slenderness with a stick-figure quality about it, and she had no waistline left. The famous contralto voice was still ingratiating but it had lost its seductiveness, and her hands were like brown claws.

She had come to what Marilyn Monroe and other sex symbols dread so much that they die young rather than face it, yet as the interview progressed it was clear that Alice Faye had chosen the better part. This was a woman who knew exactly who she was and where she stood, too secure for publicized nervous breakdowns, battles with booze and pills, and maudlin announcements of "At last I've found true love." After a brief marriage to Tony Martin she married bandleader Phil Harris in 1941 and stayed married to him until his death in 1995.

AS FOR "career conflicts," Faye settled hers in one decisive swoop. By 1945 she had tired of doing musicals and asked Darryl Zanuck for meatier dramatic roles. He cast her in *Fallen Angel* as a betrayed wife with Linda Darnell as the other woman, but he was so intent on building up Darnell that he cut Faye's best scenes. After previewing the completed film she complained to Zanuck, who said or did something she could neither forget nor forgive. That same day she walked off the lot and out of her contract, never to return. Blackballed by Hollywood, she stayed home and raised her two daughters, her career over except for a radio show with her husband and later a few TV appearances.

What happened with Darryl Zanuck? This is where Barbara Walters would lean forward and ask plangently, "What dwid he dwo to you?" in hopes of a lurid confession, but Alice Faye shook her white head firmly and refused to elaborate, telling her AMC interviewer, "That goes with me."

It was a Cordelia moment. Lear's daughter was also invited to spill her guts; her sisters did so eagerly, wallowing in verbal excess to prove how much they loved their father, but dignified Cordelia would say only, "You have begot me, bred me, loved me: I return those duties back as are right fit; obey you, love you, and most honour you"—and not one word more.

Hail and farewell, dear Miss Faye. There'll never be another like you—"Never, never, never, never, never." □

Miss King can be reached at P.O. Box 7113, Fredericksburg, Va. 22404.

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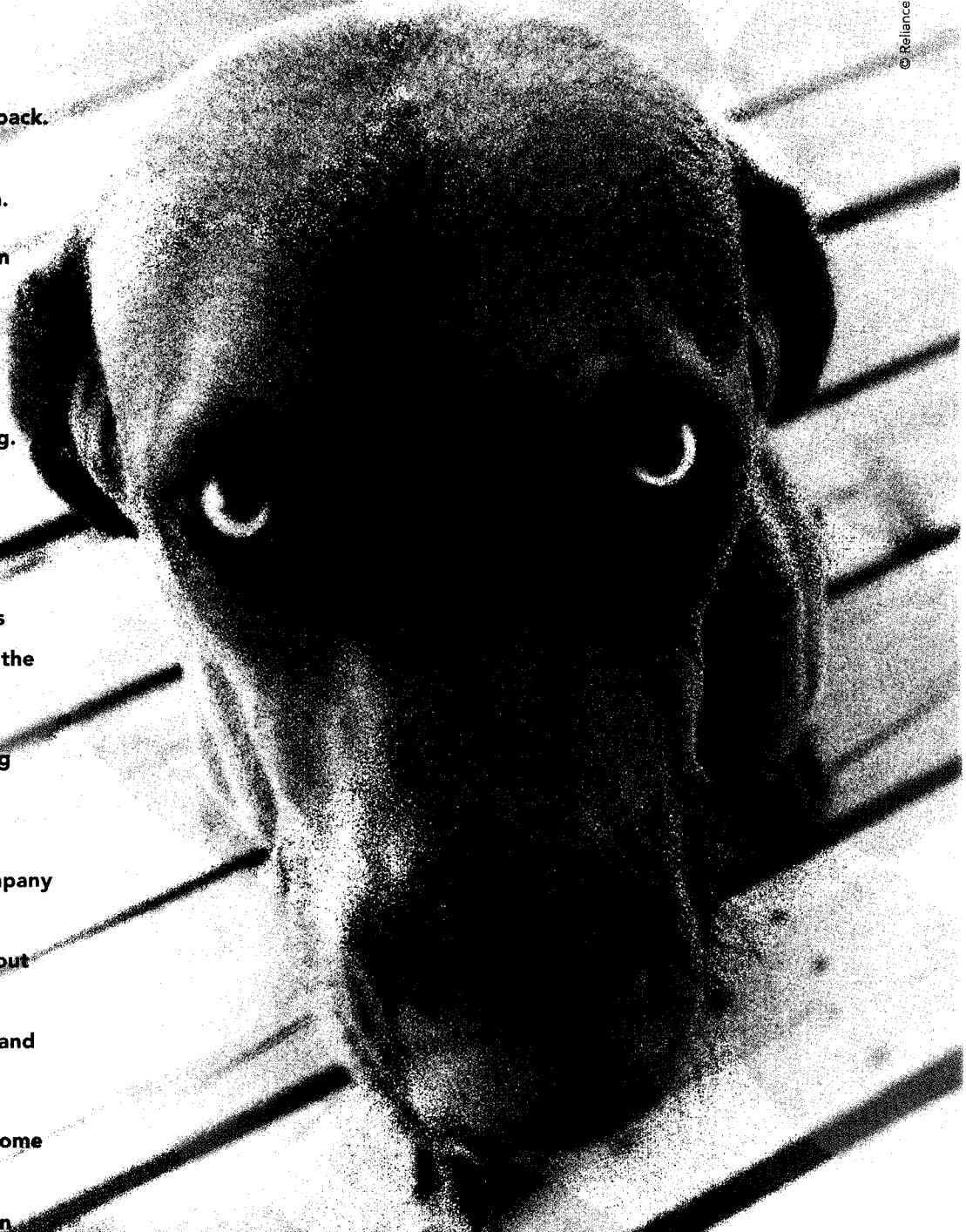

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